

**VILLAGE OF NORTH UTICA
SUBDIVISION AND SITE DEVELOPMENT REGULATIONS
ORDINANCE NO. 05-39**

BE IT ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE
OF NORTH UTICA, AN ILLINOIS MUNICIPAL CORPORATION, AS FOLLOWS:

ARTICLE I. GENERAL PROVISIONS

1.01 TITLE

This Ordinance shall be known and may be cited and referred to as the Subdivision Ordinance of the Village of North Utica.

1.02 PURPOSE AND INTENT

The purpose of the Village of North Utica Subdivision and Site Development Regulations is to provide the minimum requirements for land development that will lead to a well-planned community environment, adequate municipal utilities, easily maintained streets, and sound development of the Village.

1.03 SEVERABILITY

If any part or parts of these regulations are held to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining parts of these regulations which shall remain in full force and effect.

1.04 SCOPE

A. Jurisdiction. This Ordinance shall be considered as an implementation of sound planning for the development of the Village. The provisions of this Ordinance shall apply to land situated within the corporate limits and to territory within one and one-half (1-1/2) miles beyond the corporate limits of the Village as now or hereafter existing which is not included in any other municipality, except as such jurisdiction is limited by the provisions

of Statutes of the State of Illinois or by agreement between the Village and any other municipality.

B. Interpretation.

1. Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance, or of any law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.
2. This Ordinance is not intended to abrogate any easement, covenant, or other private agreement; provided that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.
3. A subdivision of land which was not lawfully existing at the time of the adoption of this Ordinance shall not become or be made lawful solely by reason of adoption of this Ordinance; and to the extent that, in any manner that said subdivision of land is in conflict with the requirements of this Ordinance, said subdivision of land remains unlawful hereunder.

1.05 VARIATIONS

The Planning Commission may recommend variations from the requirements of this Ordinance in specific cases which, in its opinion, do not affect the general plan or the intent of this Ordinance.

- A. Such recommendations shall be communicated to the Village Board in writing substantiating the recommended variation.

- B. The Village Board may approve variations from the requirements in specific cases which in its opinion, do not adversely affect the general plan or the spirit of this Ordinance.

1.06 PERMITS

- A. Building Permits. Before issuance of any building permits for improvements of lots within a subdivision or Planned Development, the subdivider, builder or developer shall:

1. File with the Building Inspector, the approved, final recorded plat of subdivision.
2. Completely and satisfactorily install functioning sanitary sewer systems, storm sewer and water service to each lot and street paving with the exception of the final pavement course.
3. In addition, the street lighting system shall be installed and functioning, street identification signs and traffic control signs shall be installed, all electrical, telephone, cable television, and gas utility lines shall be installed, and the parkway finish graded.
4. A spotted topographic survey of the lot must be submitted showing the elevation at the top of the foundations, lot corners and points of change in gradients. These elevations shall be in compliance with those indicated on the subdivision grading plans.

1.07 ENFORCEMENT

The Village Building Inspector is the enforcing officer of this Ordinance, and it shall be his/her duty to enforce the provisions hereof. The enforcing officer may call upon any department or official of the Village to furnish such information and assistance as deemed necessary for the administration or enforcement of this Ordinance, and it shall be the duty of such department or employee to furnish such information and assistance whenever requested.

ARTICLE II. DEFINITIONS

2.01 SPECIFIC DEFINITIONS

ALLEY - A public right of way which affords a secondary means of access to abutting property.

APPLICANT - The owner or contract purchaser of land proposed to be subdivided or developed, or his legal representative.

BUILDING CODE - Shall mean the current edition of “The BOCA National Building Code.”

BUILDING PERMIT - A permit issued by the Village of North Utica, Illinois for the construction, erection or alteration of a structure, building, parking lot or connection to utility lines.

BUILDING SERVICE SEWER - A building service sewer is the private property owner’s sewer that connects a residential, commercial, or industrial building with the sewer main.

BUILDING SETBACK LINE - The distance from a property line, within which, buildings or structures shall not be erected.

CONSTRUCTION COST - The total cost of developing the subdivision or project, excepting engineering, surveying or legal fees, and also accepting the cost of the land and interest on borrowed money.

CUL-DE-SAC - See STREET.

DETENTION STORAGE - The temporary detaining or storage of storm water in storage basins, on roof tops, in streets, parking lots, school yards, parks, open spaces, or other areas under predetermined and controlled conditions with the rate of drainage there from regulated by appropriately installed devices.

DEVELOPER - A person, group of persons, corporation, organizations, or other entity whose concern and desire is to improve land in accordance with the regulations of the Village. See SUBDIVIDER.

DRY BOTTOM DETENTION BASIN - A basin designed to be completely dewatered after having provided its planned detention of runoff during a storm event.

EASEMENT – A grant by a property owner of the use of land for a specific purpose.

ENGINEER - A currently registered professional engineer of the State of Illinois.

EROSION AND SEDIMENTATION CONTROL PLAN - A plan of the proposed site development containing all erosion and sedimentation control measures needed to provide protection throughout all phases of construction.

EXCAVATION - Any act by which organic matter, earth, sand, gravel, rock, or other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

EXISTING GRADE - The elevation of the existing ground surface prior to excavation or filling.

FILL - Any earth, sand, gravel, rock, or any other similar material that is deposited, placed, dumped, transported, or moved by man to a new location.

FINAL PLAT - A map or plat of a subdivision and any accompanying information as described in Article IV.

FRONTAGE - All the property on one (1) side of a street between two (2) intersecting streets (intersecting or terminating) measured along the line of the street, or if the street is dead-ended, then all property abutting on one side between an intersecting street and the dead-end of the street.

GRADIENT OR PERCENT OF GRADE - The vertical rise in feet per one (1) hundred (100 feet of horizontal distance (for example: A one (1) percent grade is a rise of one (1) foot in one hundred (100) feet).

HALF STREET - See STREET.

HOMEOWNER'S ASSOCIATION OR CONDOMINIUM ASSOCIATION -

An organization or association established pursuant to an agreement or declaration of restrictions consisting of persons owning or assuming responsibility for open spaces, recreational facilities, detention/retention facilities, or other commonly owned areas or property within a planned development or other real estate development.

IMPROVEMENTS – Grading, street surfacing, curbs, gutters, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts, tree, and other additions to the natural state of the land which increases its value, utility, or habitability in accordance with the provisions of this Ordinances.

- A. Private Improvement. Any installed or constructed improvement for which the responsibility of maintenance and ownership will be retained by the property owner.
- B. Public Improvement. Any improvement for which it is intended that the Village or other municipal body will assume the responsibility for maintenance and operation or which is constructed for general public use or benefit.

LAND SURVEYOR - A registered surveyor of the State of Illinois.

LOT - A parcel of land designated as a lot on a recorded plat of subdivision and having its principal frontage upon a street. A double frontage lot is one which abuts on two (2) streets but is not a corner lot. A corner lot is one situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.

MARGINAL ACCESS STREET - See STREET.

MINOR STREET - See STREET.

OFFICIAL MAP – A Village Map showing required arterial streets and proposed land use.

ONE HUNDRED YEAR STORM - Rainstorms or rain events of varying durations or intensities having a one (1) percent probability of occurring in any one year.

ONE HUNDRED YEAR STORM RUNOFF - The storm water runoff from a one hundred (100) year storm.

OWNER - Includes the plural as well as the singular and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or combination of any of them.

PARCEL - An individual continuous area of land.

PARKWAY - That part of the public street right-of-way not occupied by the street pavement and located between the back of the curb and the property line, or the dividing strip of land between parallel roadways.

PEDESTRIAN WAY - A public right-of-way across a block, or providing access within a block, to be used by pedestrians and for the installation of utility lines.

PERMITTEE - Any person to whom a site development or other permit is issued by the Village.

PERSON - Any person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions and the United States of America and its agencies or instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

PLANNED DEVELOPMENT - A “planned development” shall mean a land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in building, mixture of housing types and land uses, usable open spaces, and the preservation of significant natural features.

PLANT AND LANDSCAPING MATERIAL - Permanent vegetative cover including grass seeding, lime and fertilizer application, mulching or any other solid stabilization planting.

PONDING - The existence of pockets or depressions which have no surface drainage provided and, in the event of failure on the part of inlets or storm sewers, will contain standing water. That portion of surface waters which are flowing shall not be considered as ponding.

PRELIMINARY PLAT - A tentative map or plan of a proposed subdivision as described in Article III and supporting documents required for preliminary approval of a proposed plat of subdivision.

PUBLIC AGENCY - Any public board created by authority of the Illinois Compiled Statutes.

RESTRICTIVE COVENANTS - Contracts, agreements or declarations restricting the manner in which land may be used.

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by a road, sidewalk, railroad, electric transmission line, oil and gas pipeline, water main, sanitary or storm sewer, or for other special uses.

SIDEWALK - That portion of a public right-of-way paved or otherwise surfaced which is intended for pedestrian use only.

SITE - A lot or parcel of land or contiguous combination thereof, where development work is performed as a single, unified operation.

SITE DEVELOPMENT - Altering terrain or vegetation, constructing driveways, or performing any other construction upon or making any other material changes in a land site.

STANDARDS - Specifications for the preparation of plans indicating, among other things, the optimum, minimum, or maximum dimensions of such features as right-of-way and blocks.

STANDARD SPECIFICATIONS - Refers to the “Standard Specification for Road and Bridge Construction,” adopted by the State of Illinois, Department of Transportation, current edition, as well as the “Standard Specifications for Water and Sewer Main Construction in Illinois,” current edition.

STORM SEWER - A closed conduit for conveying collected storm water.

STORM WATER RUNOFF - The water derived from precipitation within a tributary drainage basin, flowing over the surface of the ground or collected in channels or conduits.

STREET – A public or private right-of-way for providing vehicular movements over land providing access to individual lots or providing for through traffic. A street includes the area within the right-of-way whether improved or unimproved and includes, but is not limited to, curb and gutters, pavements, and such improvements as sidewalks, drainage and street lighting. Streets are designated on the street classification map in accordance with the following definitions:

A. Arterial Street. A public right-of-way with a high degree of traffic continuity serving as an arterial traffic way between the various districts of the Village as shown on the Official Map.

B. Collector Street. A street which carries traffic from minor streets of residential developments and the principal circulating street within such development.

C. Cul-De-Sac. A short local street having one (1) open end and being permanently terminated at the other end by a vehicular turnaround.

D. Highway. Any street designated by the State or Federal Government for purposes of intrastate or interstate traffic.

E. Half Street. A street bordering one (1) or more boundary lines of a tract of land or parcel and which is only one-half (1/2) of the required right-of-way width.

F. Marginal Access Street or Frontage Road. A street which is parallel to and contiguous with an arterial street and which provides access to abutting properties and protection to local traffic from fast-moving, through traffic on the adjoining arterial street.

G. Minor Residential Street. A street other than an arterial street or collector street which affords local access to abutting properties.

SUBDIVIDER - Any individual, firm, association, syndicate, corporation, co-partnership, trust, or other legal entity commencing proceedings under this Ordinance to effect a subdivision of land.

SUBDIVISION - Any division, excepting a tax division, by plat or otherwise, of a tract of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development.

VACANT - Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

VILLAGE - Shall mean the Village of North Utica, Illinois.

VILLAGE BOARD - Shall mean the Village Board of Trustees of the Village of North Utica, an Illinois municipal corporation.

WET BOTTOM DETENTION BASIN - A basin designed to retain a permanent pool of water after having provided its planned detention of runoff during a storm event.

ZONING ORDINANCE - Shall mean the current Zoning Ordinance of the Village.

ARTICLE III. PRELIMINARY PLAT

3.01 GENERAL PROCEDURE

A. Submittal. A proposed plat of subdivision shall be initially submitted for preliminary approval by filing thirty (30) copies of the preliminary plat with the Village Clerk.

1. Preliminary Plat Requirements. Each preliminary plat shall contain the following:

a. Identification and Description.

- i. Proposed name of subdivision (not duplicating name of any plat heretofore recorded in LaSalle County).
- ii. Location by Township, Section, Town, and Range or other legal description.
- iii. Names and addresses of all the owners and subdividers of the tract, the name and signature of the owners' surveyor, and the name and signature of the owners' engineer.
- iv. Graphic (engineering scale not smaller than one (1) inch to one hundred (100) feet).
- v. North point.
- vi. Date of preparation.
- vii. A signed statement by the land planner that the plat meets the requirements of this Ordinance to the best of his/her knowledge, or a request for variance to one or more requirements.
- viii. The zoning classification under the Village or abutting municipal zoning ordinances, the zoning of

all surrounding land indicating whether it is in the Village of North Utica, LaSalle County or other municipalities.

- b. Existing Conditions. Each preliminary plat shall show and contain the following:
- i. Boundary line of proposed subdivision clearly indicated.
 - ii. Total acreage therein.
 - iii. Location, width and names of all existing or previously platted streets or other public ways showing type of improvement, if any, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, easements, and section and corporation lines within the tract and to a distance of one hundred (100) feet beyond the tract.
 - iv. Location and size of existing sewers, water mains, culverts, septic systems (including filter fields) or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract; also indicating such data as grades, invert elevations, and locations of catch basins, manholes and hydrants.
 - v. Boundary lines of adjoining unsubdivided or subdivided land -- within one hundred (100) feet -- identifying by name and ownership.
 - vi. Topographic data including contours at vertical intervals of not more than two (2) feet, except that contour lines shall be no more than one (1) foot wherever the natural slope of the land is less than one-half (0.5) percent. Also to be shown are

watercourses, marshes, rock outcrops, high water elevation including source of information and other significant features.

- vii. Flood plain lines are to be delineated.
- viii. Farm drains, inlets and outfalls, if any.
- ix. Location of existing corporate boundary lines at or near the proposed subdivision.

c. Subdivision Design Features. The application for preliminary approval shall show or contain the following:

- i. The location and width of proposed streets, alleys, and public ways.
- ii. The proposed location of sewers and storm drains.
- iii. The proposed dedication of public grounds, if any.
- iv. The layout, numbers, and typical dimensions of lots to the nearest foot, including building setback lines.
- v. Proposed easements for public utilities.
- vi. A statement of the proposed method of sewage and waste disposal, storm water disposal, and water supply.
- vii. The proposed layout of water mains, valves, fire hydrants, and other appurtenances.
- viii. Traffic and other impact studies, if required by the Village.
- ix. Density. Provide information on the gross area of each land use sub-area, i.e. single family, multi-family, commercial, etc. For residential sub-areas, the number of dwelling units and gross density contained therein based on the ultimate development of the land. The sub-area boundaries are to be clearly delineated. Floor area ratio should

be provided for all units over thirty (30) feet in height.

- d. Restrictive Covenants. Where applicable, an outline of the restrictive covenants shall accompany the preliminary plat.

2. Fees.

- a. At the time of filing the preliminary plat with the Village Clerk, fees (which are in addition to any plat review fees) shall be paid to the Village Clerk. Fees shall be as follows:
 - i. \$5.00 per lot for subdivision containing 50 lots or less with a minimum of \$100.00.
 - ii. \$250.00 plus \$3.00 for each additional lot over 50 in subdivision containing more than 50 lots.
- b. A plat review fee based on one hundred ten (110%) percent of the rate per hour currently in effect for those Village personnel participating in the review process shall be paid to the Village Clerk before the final plat is filed.

B. Distribution of Preliminary Plat.

The Village Clerk, with whom said plat is filed, shall submit copies to each of the members of the Plan Commission and one (1) copy of the preliminary plat to each of the following:

- 1. The President and each Trustee;
- 2. The Village Superintendent of Public Works;
- 3. The Village Building Inspector;
- 4. The Village Attorney;
- 5. The Village Engineer;
- 6. The Superintendent of the appropriate Grade School District;
- 7. The Superintendent of the High School District;
- 8. The Fire Protection District.
- 9. The Library District

C. Notification.

The Village Clerk shall publish notice, at the cost of the developer, in a newspaper of general circulation in the Village, of the first meeting at which the Planning Commission will consider the said preliminary plats. Said notice shall contain a description of the land proposed to be subdivided and a general description of the proposed subdivision.

D. Qualifications Governing Approval of Preliminary Plat.

1. Qualifications.

- a. The Planning Commission may recommend, and the Village Board may require, such changes or revisions as are deemed necessary in the interests and needs of the community.
- b. No plan will be approved for a subdivision which is subject to flooding or which contains inadequate drainage facilities. However, if the subdivider agrees to make improvements which will, in the opinion of the Village, make the area safe for occupancy and provide adequate drainage, the preliminary plat of the subdivision may be approved.
- c. A proposed plat of subdivision or re-subdivision shall not be approved by the corporate authorities unless it complies with the provisions of this Ordinance and the Official Map.
- d. Upon receipt of a preliminary plat, the Building Inspector shall review the plat for general compliance with the overall requirements of the Village and shall return a copy, together with a recommendation, to the Plan Commission and the Village Board.

2. Actions By Planning Commission.

- a. The Planning Commission shall recommend the approval or disapproval of the application for preliminary approval within ninety (90) days from the date of the application for preliminary approval or the filing by the applicant of the

last item of required supporting data, whichever date is later, unless such time is extended by mutual consent.

- b. If such plat is recommended for disapproval, then within said ninety (90) days the Planning Commission shall furnish to the applicant, in writing, a statement setting forth the reason or reasons for such recommendation.

3. Actions By President and Village Board.

- a. If such plat is approved by the Planning Commission, the President and Village Board shall accept or reject said plat within thirty (30) days after its next regular meeting following approval by the Planning Commission.
- b. If the proposed plat is approved, such approval shall be indicated by the adoption of an ordinance by the corporate authorities. Any proposed preliminary plat that has been so approved shall have attached to it, by the Village Clerk, a certified copy of such ordinance.

4. Conditions Following Preliminary Approval of Plat.

- a. The approval of a preliminary plat by the Plan Commission and Village Board is strictly tentative, involving merely the general acceptability of the information submitted.
 - i. Preliminary approval shall be effective for a maximum period of twelve (12) months, unless upon application of the developer, the Village Board grants an extension.
 - ii. If the final plat has not been recorded within the twelve (12) month (or extended) time limit, the preliminary plat must again be submitted for preliminary approval.
- b. Preliminary approval shall not qualify a preliminary plat for recording.

- c. Subsequent approval will be required of the detailed engineering plans pertaining to water supply, storm drainage, sewerage and sewerage disposal, street lighting, fire hydrants, street gradients, roadway widths, and a lot-grading plan prior to approval of the final plat by the Village.
- d. One (1) print of the plat which has received preliminary approval, signed by the President and the Village Clerk, shall be retained by the Village Clerk, and two (2) copies returned to the subdivider, who may then proceed with the preparation of plans and specifications for the improvements required in these regulations, and preparation of the final plat.

ARTICLE IV. FINAL PLAT

4.01 GENERAL PROCEDURE

A. Application.

Application for final approval of the final plat shall be made to the Village Board not later than one (1) year after approval of the preliminary plat has been granted, unless the time is extended by the Village Board.

- 1. **Final Plat Requirements.** The application for approval shall be accompanied by:
 - a. The original tracing of the proposed final plat, suitable for recording and thirty (30) copies thereof.
 - b. The final plat shall be prepared on permanent reproducible material, such as mylar, suitable for recording with the County Recorder of Deeds at a scale of one (1) inch equals one hundred (100) feet, or larger if required by the Building Inspector. All final plats shall show the following:

- i. Proposed name of subdivision and legal description of subdivision.
- ii. An identification system for all lots and blocks.
- iii. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use, and other important features. Lot lines to show dimensions in feet and hundredths. All dimensions shown on curved lines shall be arc distances.
- iv. True angles and distances to the nearest established street lines or established survey monuments (not less than two), which shall be accurately described in the plat.
- v. North point.
- vi. Township, County or Section lines accurately tied to the lines of the subdivision by distance and angles.
- vii. All horizontal dimensions shall be shown, including radii, internal angles, points of tangency and curvature, tangent bearings and lengths of all arcs.
- viii. Accurate location of all monuments, which shall meet the requirements of the Illinois Compiled Statutes.
- ix. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, or for the exclusive use of the property owners within the subdivision, with use purposes indicated thereon.
- x. All easements required for the installation and maintenance of utilities (electric, water, waste

water, gas, telephone, etc.) together with a statement that dedicates the easements to the Village and the public utilities.

xi. All scenic or access easements together with a statement that dedicates the easements to the Village.

xii. When a planned development or subdivision development (in Residential Zoning Districts R-2) proposes separate land division of duplex type structures, such parcels shall be so indicated on the plat and shall contain permanent covenants and deed restrictions as required by the developer and approved by the Village. Said adjoining owners, by agreement, shall address as a minimum, but not be limited to, the following items:

1. Common wall elements;
2. Roof and appurtenances;
3. Exterior elements and accessory structures;
4. Alterations, additions, and landscaping;
5. Insurance;
6. Dispute resolution;
7. An appropriate enforcement statement; and
8. Non-conflict with existing Village Ordinances.

These provisions shall not apply to the condominiumization of any duplex structure that follows all of the procedures under the Illinois Condominium Property Act; provided, however, such Declaration of Condominium shall address all of the above issues of common wall elements; roof and appurtenances; exterior elements and accessory

- structures; alterations, additions, and landscaping, insurance, dispute resolution; enforcement remedies; and non-conflict with Village Ordinances.
- xiii. Certification by a licensed surveyor, to the effect that the plat represents a survey made by him/her and that monuments and markers shown thereon exist as shown and that all dimensions are correct.
 - xiv. Notarized certification by owner, and by any mortgage holder of record, requesting the adoption of the plat and the dedication of easements, streets, and other public areas.
 - xv. Forms for certification showing that all special assessments due on the property to be subdivided have been paid in full.
 - xvi. Form for approval by the Planning Commission.
 - xvii. Form for approval by the Village Board.
 - xviii. Forms for approval by LaSalle County authorities as required.
- c. Supporting Documents with Final Plat. The following supporting documents and data, shall be submitted with said final plat:
- i. Any special studies or additional items required by the Planning Commission or the Village.
 - ii. All covenants such as homeowners association covenants and agreements which are to be applied to the property.
 - iii. A description and justification for any variation from the preliminary plat and a description of any external factors which have changed since preliminary plat was approved and which affect the final plat.

iv. All documents required by Sections 12.01 and 12.02 in Article XII.

d. Monuments. Permanent monuments shall be placed at all corners of the subdivision and as otherwise required in the State statutes.

i. Permanent monuments shall be three-fourths (3/4) inch in diameter iron pipe or three-fourths (3/4) inch steel plug set in six (6) inch diameter concrete encasement which is augured into the ground at least three (3) feet and with tops flush with the final grade.

ii. All lot corners not marked by concrete monuments shall be marked by galvanized or wrought iron pipe or iron or steel bars at least eighteen (18) inches in length and not less than one-half (1/2) inch in diameter. The top of the pipe or bar is to be set level with the established grade of the ground after finish grading.

2. Fees.

At the time of filing the application for approval of the final plat, the following fees shall be paid to the Village Clerk:

a. Plan review fee, based on the following percentages of total construction cost (which shall consist of, but not exclusively limited to curb and gutters, sidewalks, pavements, sanitary sewer system, storm sewer system, water distribution system, storm water detention facilities, parkway trees, landscaping, street lights, plus soil erosion control measures) as estimated by the design engineer and approved by the Village Building Inspector.

i. One percent (1%) of the construction cost when such cost is less than \$50,000.

- ii. One percent (1%) of the first \$50,000 of construction cost of the improvement, plus.
- iii. .75% of the next \$200,000 of construction cost of the improvement, plus.
- iv. .50% of all construction costs over \$250,000.

B. Approval by Parts.

The applicant may elect to have final approval of a geographic part or parts of the plat that received preliminary approval and may delay application for approval of other parts until a later date or dates beyond one (1) year with the approval of the Village Board, provided all facilities required to serve the part or parts for which final approval is sought have been provided. In such cases only such part or parts of the plat that have received final approval shall be recorded.

C. Qualifications Governing Final Approval of Plat.

1. Qualifications.

A proposed plat of subdivision or resubdivision shall not be approved by the corporate authorities unless it complies with the Official Map of the Village and all other pertinent provisions of this Ordinance.

2. Actions by President and Village Board.

When a person submitting a plat of subdivision or resubdivision for final approval has supplied all drawings, maps, and other documents required by the municipal ordinances to be furnished in support thereof, and if all such material meets all municipal requirements, the Village Board shall, after review and approval by the Planning Commission, approve the proposed plat within sixty (60) days from the date of filing the last required document or other papers or within sixty (60) days from the date of filing application for final approval of the plat, whichever date is later. The applicant and the Village Board may mutually agree to extend the sixty (60) day period.

- a. Such approval shall be indicated by the adoption of an ordinance by the corporate authorities. Any proposed final plat that has been so approved shall have attached to it, by the Village Clerk, a certified copy of such ordinance.
- b. If the proposed plat is disapproved, the Village Clerk will state the reasons for the disapproval, specifying the aspects in which the proposed plat fails to conform to Village requirements or ordinances.

ARTICLE V. PUBLIC USE AREAS

5.01 DEDICATION OF LAND FOR PUBLIC USE.

When an area of land for public use (in addition to streets, alleys, pedestrian ways, and utility easements) is recommended by the Planning Commission and required by the Village Board to be located in whole or in part in a subdivision, the subdivider shall designate on the Preliminary Plat and Final Plat that such land is reserved for public use. At the option of the Village, a cash payment may be required in lieu of land for public use.

ARTICLE VI. DESIGN STANDARDS

6.01 STREET LAYOUT AND DESIGN.

- A. Intent. The arrangement, character, extent, width, grade and location of all streets shall conform to the Official Map and to the provisions of this Ordinance and shall consider their relationship to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, to public convenience and safety, and in their appropriate relations to the proposed uses of the area to be served.

B. Design Criteria. The following general design criteria for streets shall be followed:

1. Developments plan to be constructed adjacent to existing developments must be designed to accept the alignment and corresponding widths of existing pavements unless specifically accepted by the Planning Commission, or Village Board.
2. All right-of-way widths shall conform to the following minimum dimensions:

| <u>Street Classification</u> | <u>Minimum Right-of-Way</u> |
|------------------------------------|--|
| ARTERIAL OR PRIMARY | 80 feet |
| COLLECTOR OR SECONDARY | 80 feet |
| MINOR RESIDENTIAL: | |
| 1. Cul-de-Sac | 60 feet |
| 2. Dedicated (other than #1 above) | 60 feet |
| MINOR INDUSTRIAL | 70 feet |
| MAJOR BUSINESS | 80 feet |
| MARGINAL ACCESS STREETS | 60 feet |
| FRONTAGE ROAD (Dedicated) | 60 feet |
| HALF STREETS | ½ the total right-of-way of proposed street, if permitted by Village Board |

3. If the tract of land proposed to be subdivided or any part thereof lies adjacent to a highway over which the Department of Transportation of the State of Illinois or the County of LaSalle Highway Department has jurisdiction with respect to maintenance and upkeep thereof and an entrance or entrances are desired from such highway to lots, streets, roadway or alleys in the proposed subdivision, the subdivider shall submit to the Village Building Inspector a written permit from the said Department granting

permission to obtain and construct such an entrance or entrances, including details thereof.

4. When a subdivision borders on and has lots fronting on a present or proposed Federal, State, County or limited access highway, necessary traffic service to the lots of the subdivision property bordering such highways shall be provided by a marginal access street.
5. When a street centerline within a single block deflects more than ten (10) degrees, a curve is required. Minimum center line radius shall be:
 - a. Arterial and collector streets 300 feet
 - b. Local streets and cul-de-sacs 150 feet
6. The maximum length of straight centerline or extension of a tangent to a curve shall be one thousand three hundred twenty (1,320) feet for collector streets and six hundred sixty (660) feet for minor streets. This shall not apply to straight streets on the boundary of a subdivision.
7. All centerline grades shall be at least .30 percent and not exceed the maximum grades, as follows:
 - a. Arterial and collector streets 4 percent (4%)
 - b. Local streets and cul-de-sacs 6 percent (6%)
8. Vertical curves shall be used whenever a change in centerline gradient occurs.
9. Minor residential streets shall be so aligned that their use by through traffic will be discouraged.
10. Street jogs with centerline offset of less than one hundred twenty-five (125) feet shall be avoided.
11. It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flows.
12. Alleys are not permitted.

13. The maximum length of a cul-de-sac shall be five hundred (500) feet measured along the centerline from the intersection at origin to end of right-of-way, unless there are fewer than sixteen (16) lots abutting the cul-de-sac. Each cul-de-sac shall have a terminus of nearly circular shape with a minimum right-of-way diameter of one hundred twenty (120) feet.
14. Half streets dedication or construction shall be prohibited, except in the cases of completing an existing half street. Whenever an existing or dedicated half street is adjacent to a tract to be subdivided, the other half of the street shall be delineated within such tract. A half street, where included, shall be graded in conformance to the grade of the adjacent half street.
15. Reserved strips of land or other means of control designed to block the extension of platted or existing streets or drains, or deny street access, are prohibited.
16. No street names may be used which will duplicate or be confused with names of existing streets in the Utica Postal District.
 - a. Existing street names must be protected whenever possible.
 - b. Streets within a development shall not be named after the developer or the name of the project unless said street is within said development and cannot be extended into other developments.
 - c. All proposed street names require the approval of the Village Board.

6.02 PEDESTRIAN WAYS

- A. Pedestrian Ways. Pedestrian ways shall be at least ten (10) feet wide.

6.03 EASEMENTS

- A. General Requirements.
 1. Easements across lots or centered on rear or side lot lines shall be provided for utilities and street lighting and drainage or other

public use, where necessary, and shall be at least ten (10) feet wide.

2. The easements shall be so laid out so that there is a proper continuity from lot to lot and block to block.
3. Provisions for extension of easements to adjacent areas shall be made.
4. Approval of the utility easement layout for public utility companies shall be required on the final plat.

- B. Utility, Sewer and Drainage Easements. Easements for utilities, sewer and/or drainage shall be provided by clearly indicating on the face of the plat the following language or as specified by the Village Building Inspector.

Easement Provisions

Whenever the words “public utilities” or “public utility easement” shall appear on a plat, they are defined as follows:

“A permanent nonexclusive easement is hereby reserved for and granted to the Village of North Utica, LaSalle County, Illinois, and to those public utility companies operating under franchise from the Village of North Utica, and to their successors and assigns, in, upon, across, over, under and through the areas shown by dashed lines and labeled “Easements” on the attached Plat of Subdivision for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining electrical, gas, telephone, and other utility lines or appurtenances, sanitary sewers, storm sewers, water mains, and any and all manholes, hydrants, pipes, connections, catch basins, buffalo boxes, and, without limitation, such other installations as may be required to furnish public utility service to the attached area, and such appurtenances, and additions thereto as said Village and Utilities may deem necessary, together with the right of access across the lots and real estate included in the attached documents for the necessary men and equipment to do any or all of the above work. The right is also hereby

granted to said Village and Utilities to cut down, trim, or remove any trees, shrubs, or other plants that interfere with the operation or access to any of said utilities, or, without limitation, utility installations in, on, upon, or across, under, or through said Easements. No permanent buildings or trees shall be placed on said Easements. After receipt of permission from the Village Engineer, some may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses and rights. Where an easement is used for storm or sanitary sewers, other utility installations shall be subject to the prior approval of the said Village of North Utica.”

- C. Consent. Any person who submits the final plat to the Village Board for final approval shall be deemed to have given consent to the terms of the declaration of easements set forth in this Section 6.03.

6.04 BLOCK STANDARDS

- A. Length. The maximum lengths of blocks shall be one thousand eight hundred (1,800) feet.
1. Blocks over nine hundred (900) feet long shall have pedestrian ways at their approximate centers.
 2. The use of additional access ways to schools, parks, or other destinations may be specified by the Planning Commission.
- B. Shape. No specific rule concerning the shape of blocks is made, but blocks must fit readily into the overall plan of subdivision and their design must evidence consideration of lot planning, traffic flow, and public open space areas, along with consideration for development of contiguous future improvements.

6.05 LOT STANDARDS

- A. Design Criteria.

1. Minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be as indicated in the Zoning Ordinance.
2. Acute-angled lot corners shall be minimized. In general, lots should be as nearly rectangular in shape as practicable with minimum rear lot widths of thirty (30) feet.
3. All lots, except those in planned developments, shall abut on a publicly dedicated street.
4. Side lines of lot shall be at right angles or radial to the street line, or substantially so.
5. Double-frontage lots are not permitted except:
 - a. When lots back upon a major thoroughfare.
 - b. When topographic or other conditions render subdividing otherwise unreasonable.
 - c. Any double-frontage lots shall have an additional depth of at least twenty (20) feet in order to allow space for a protective screen along the lot line bordering the major thoroughfare.
6. Lots abutting upon a watercourse, drainage way, channels, or stream shall have an additional depth or width, as required, to assure house sites of at least seven thousand (7,000) square feet that are not subject to flooding.
7. No access strips will be required where deemed necessary by the Village Engineer. "No-access strip" means a strip of land along the rear lot line of a double frontage lot and along a highway or thoroughfare where no driveway will be permitted.

B. Lot Grading.

1. Grading of lots and roadways within the Village shall be accomplished in a manner to prevent ponding and shall not result in the flooding of any primary structures. The only exceptions are for storm water detention/retention basins.

2. Except in special cases, grading of all grassed areas of lots shall be kept within the range of one-half (.5) percent and five (5) percent.
3. Driveway grades on all lots, as measured from the top of curb to finished garage floor, shall be kept within the range of one (1) percent and ten (10) percent.
4. Drainage easements will be provided along the rear and/or side lot lines when surface waters from more than one lot are conveyed down a property line.
5. When the slope between adjacent properties is three (3) foot horizontal to one (1) foot vertical or greater, retaining walls or other improvements approved by the Village Building Inspector shall be required.
6. A minimum of four (4) inches of topsoil shall be provided on all lots and parkways.
7. Parkways shall be sodded or seeded with Class I seed at the rate and method as indicated in Section 642 of the Standard Specifications for Road and Bridge Construction of the Illinois Department of Transportation.

C. Addressing of Lots, Buildings, or Structures.

1. Numbering System. All lots, buildings, and structures in the Village shall be numbered by the Village Clerk.
2. Location. It shall be the duty of the owner and occupant of every residential dwelling in the Village to have placed thereon numerals showing the number of the dwelling.
 - a. These numerals shall be clearly visible from the street.
 - b. These numerals shall be placed at a location near the main entrance of the principal dwelling and on the mailbox.
 - c. If a portion of the principal dwelling projects out toward the street line a distance further than that of the main entrance, the numerals shall be placed at a location on this projection which is clearly visible from the street.

- d. On corner lots, numerals shall be visible from the street on which the main entrance is located.
3. Penalty. Any person, firm, or corporation failing to so number any dwelling owned or occupied by him or it within ten (10) calendar days after receiving notice to do so from the Village shall be fined ten dollars (\$10) for each day on which the failure to number continues.

ARTICLE VII. FLOOD PLAIN REGULATIONS

Subdivision of, or development activities on, any land within the Village of North Utica, or within its extra-territorial jurisdiction, shall be subject to the conditions contained in its current ordinance entitled: FLOOD HAZARD AREA USE REGULATIONS AS SET FORTH IN CHAPTER 5 OF THE VILLAGE ZONING CODE

ARTICLE VIII. EROSION AND SEDIMENTATION CONTROL ORDINANCE MEASURES

8.01 PURPOSE

A. The Village Board finds as follow:

1. That excessive quantities of soil erodes from areas that are undergoing development for certain non-agricultural uses, including but not limited to, the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, and the creation of recreational facilities;
2. That the washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof by decreasing vision and reducing traction of road vehicles;

3. That said soil erosion necessitates the costly repair of gullies, washed-out fills, and embankments;
 4. That the sediment from said soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes, and reservoirs;
 5. That said sediment limits the use of water and waterways for most beneficial purposes, destroying fish and other aquatic life, and that said sediment is costly and difficult to remove;
 8. That said sediment reduces the channel capacity of waterways resulting in greatly increased chances of flooding.
- B. The Village Board, therefore, declares that the purpose of this Article VIII is to provide minimum standards to safeguard persons, to protect property and prevent the despoliation of the environment, and to promote the public welfare by regulating and controlling the design, construction, quality of materials and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated in the Village.

8.02 GENERAL PRINCIPLES

The following general principles shall apply to any movement of earth, site development, and execution of an erosion and soil sedimentation control plan:

- A. The smallest practical area of land shall be exposed at any given time during development.
- B. Such minimum area exposure shall be kept to as short a duration of time as is practical.
- C. Temporary vegetation or, where applicable, mulching or other cover shall be used to protect areas exposed during development.
- D. Sediment basins, debris basins, desilting basins, or silt traps shall be installed and maintained to remove sediment from run-off waters from land undergoing development.
- E. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after

development. Drainage-ways shall be designed so that their final gradients and the resultant velocities of discharge will not create additional erosion in accordance with the following requirements:

1. Permanent, final plant covering or structures shall be installed as soon as possible.
2. The plan of development shall relate to the topography and soils of the site so that the lowest potential for erosion is created.
3. The selection of erosion and sedimentation control measures shall be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on the evaluation of the risks, costs, and benefits involved.
4. In the design of erosion control facilities and practices, provisions shall be made for aesthetics and the requirements of continuing maintenance shall be minimized.
5. Natural plant covering shall be retained and protected to the maximum extent possible, consistent with proper land planning, and design and development of the site.
6. Velocity retarding devices (temporary or permanent) shall be installed to reduce the scouring of drainage ditches.

8.03 EROSION AND SEDIMENTATION CONTROL PLANS

A. Plan Required.

An erosion and sedimentation control plan shall be required for any of the following:

1. Any grading, stripping, excavating, or filling of land with any further development of that land coming at a later date.
2. All planned developments, residential subdivisions or multi-family, commercial or industrial developments which are in excess of one (1) acre.
3. All building sites, of any sizes, whether they be residential, commercial or other.

B. Submissions.

Each erosion and sedimentation control plan, which may be included in the site development plans, shall contain the following:

1. The existing topography of the site and adjacent areas within one hundred (100) feet.
2. A complete physical survey of the site, including such land features as rivers, swamps, type and location of plant life, tree groups, wells and any existing structures.
3. A soil survey analysis.
4. A proposed grading plan including elevations of buildings and structures, manhole covers, street profiles, sidewalks, ditches, driveways, storm water and sediment basins, and berms.
5. Required initial clearing and stockpiling operations.
6. Sequence of all operations during construction.
7. All erosion and sedimentation control measures necessary to meet the objectives of this Section 8.03 throughout all phases of construction and permanently after completion of development of the site, including location, type and configuration of such controls detailed on construction drawings and in specifications.
8. Areas to be seeded and/or sodded, seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.
9. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.
10. Identification of the person(s) or entity which will have legal responsibility for maintenance of erosion and sedimentation control structures and measures after development is complete.

ARTICLE IX. SITE DEVELOPMENT PERMITS

9.01 PERMIT REQUIRED

Except as otherwise provided in this Article IX, no person shall commence or perform any grading, stripping, excavating, filling or paving of land without first obtaining a site development permit.

9.02 PERMIT NOT REQUIRED

A site development permit shall not be required in the following cases:

- A. All single family residences shall not be required to obtain a site development permit, but shall be required to take adequate erosion and sedimentation control measures and shall present a grading plan for the property which shows existing and final earth elevations, proposed top of foundation elevations and existing curb elevations and shall obtain a building permit; OR
- B. When a site development permit is deemed not necessary by the Village Building Inspector after considering the detrimental effect, if any, upon neighboring property.

9.03 APPLICATION FOR PERMIT

- A. No site development or building permit shall be issued until the applicant submits an erosion and sedimentation control plan, together with other submissions required by this Article IX, and certifies that any land-clearing, construction, or development involving the movement of earth shall be in accordance with such plan and submissions.
- B. Each application for a site development permit shall be made by the Owner of the property or his authorized agent to the Building Inspector on a form furnished for that purpose.
- C. Each application shall be accompanied by the following:

1. A vicinity map in sufficient detail to enable easy location in the field of the site for which the permit is sought, and including the boundary line and approximate acreage of the site, existing zoning and a legend and scale.
2. A development plan of the site showing:
 - a. Existing topography of the site and adjacent land within approximately one hundred (100) feet of the boundaries, drawn at no greater than two (2) foot contour intervals and clearly portraying the conformation and drainage pattern of the area.
 - b. The location of existing buildings, structures, utilities, water bodies, flood plains, drainage facilities, vegetative cover, paved areas and other significant natural or man-made features on the site and adjacent land within approximately one hundred (100) feet of the boundary.
 - c. A general description of the predominant soil types on the site, their location and their limitations for their proposed use.
 - d. Proposed use of the site; areas of excavation, grading and filling; proposed contours; provisions for storm drainage, including the control of accelerated runoff, with a drainage area map and computations; and areas and acreages proposed to be covered, sodded or seeded, vegetatively stabilized or left undisturbed.
3. A Stormwater Drainage Plan in Accordance with Section 11.09 of this Ordinance.
4. An erosion and sedimentation control plan when required pursuant to Section 8.03 of this Ordinance.

9.04 UTILITIES

- A. All telephone, electric service and cable TV lines, as well as gas mains shall be in accordance with Section 11.02 of this Ordinance.
- B. All water main, service lines and appurtenances shall be in accordance with Section 11.07 of this Ordinance.
- C. All sanitary sewers and appurtenances shall be in accordance with Section 11.08 of this Ordinance.
- D. All storm drainage facilities shall be in accordance with Section 11.09 of this Ordinance.

9.05 BONDS

The applicant shall be required to file with the Village Clerk an improvement security, in accordance with Section 12.02 (A), paragraphs 1,2 & 3 in the amount deemed sufficient by the Village Building Inspector cover all the costs of improvements, and Village fees.

9.06 REVIEW AND APPROVAL

To further the specific purposes of this Article IX, the following review procedures are established:

A. Processing of Site Development Application.

The Village Building Inspector shall review all site development applications. Following such review, the Village Building Inspector may:

- 1. Approve the site development application if he finds it to be in conformance with the provisions of this Ordinance and issue a permit;
- 2. Approve the site development application subject to such reasonable conditions the Village Building Inspector may deem necessary to secure substantially the objectives of this Ordinance, and issue a permit subject to those conditions; or
- 3. Disapprove the site development application and require resubmittal that meets the conditions of this Ordinance.

9.07 APPEALS

The applicant may appeal the decision of the Village Building Inspector, including any lack of action by the Village Building Inspector, to the Planning Commission.

- A. Upon receipt of an appeal, the Planning Commission shall schedule and hold a public hearing, after giving notice thereof.
- B. Within thirty (30) days following said hearing, the Planning Commission shall transmit its findings and recommendations to the Village Board for final disposition.

9.08 RESPONSIBILITY

Failure of the Village Officials to observe or recognize hazardous or unsightly conditions or to recommend denial of the site development permit, or of the Village Building Inspector or Planning Commission to deny said permit, shall not relieve the permittee from responsibility for the condition or damage resulting therefrom, and shall not result in the Village, its officers or agents, being responsible for any condition or damage resulting therefrom.

9.09 EXPIRATION OF PERMIT

Every site development permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within one hundred eighty (180) days or is not completed within one (1) year from date of issue; except that the Village Building Inspector may, if the permit holder presents satisfactory evidence that unusual difficulties have prevented work being started or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit.

9.10 INSPECTIONS

The Village Building Inspector shall inspect the site and shall either approve that portion of the work completed or shall notify the permittee that the same fails to comply with the approved plan.

- A. When it is found by inspection that conditions are not substantially as stated or as shown in the said plan, the Village Building Inspector may order that further work be stopped until non-conforming conditions are corrected.
- B. Plans for grading work, and the site development permit shall be maintained at the site during progress of the grading.
- C. Until the final inspection is made, a permit issued by the Village indicating permission to construct has been granted by the Village shall be prominently displayed on the front property line of the property involved and be visible from the street on which the property fronts.
- D. In order to obtain inspections in accordance with the following schedule, the permittee shall notify the Village Building Inspector at least two (2) full working days before the said inspection is to be made for:
 - 1. Stripping and Clearing;
 - 2. Rough Grading. When all rough grading has been completed;
 - 3. Final Grading; and
 - 4. Final Inspection. When all work, including installation of all drainage and other structures and required planting, has been completed.

9.11 FEES

Fees for services provided by the Village Building Inspector consisting of plan review and filing fees shall be as follows:

- A. 1% of the construction cost when such cost is less than \$50,000.
- B. 1% of the first \$50,000 of construction cost of the improvement, plus
- C. .75% of the next \$200,000 of construction cost of the improvement, plus
- D. .50% of all construction costs over \$250,000.

- E. Inspection fees shall be in accordance with Section 12.01.C.

9.12 EXCEPTIONS

The Village Board, after recommendation by the Planning Commission, may authorize exceptions to any of the requirements and regulations set forth in this Article IX upon the conditions below set forth.

A. Application for Exception.

Application for any exceptions shall be made by petition of applicant stating fully the grounds for the application.

1. Such petition shall be filed with the site development permit application.
2. In order for the land referred to in the petition to come within the provision of this Section, it shall be necessary that the Planning Commission find all of the following facts with respect thereto:
 - a. That the land is of such shape or size or is affected by such physical conditions or is subject to such title limitations of record that it is impossible or impractical for the developer to comply with all of the regulations of this Article IX.
 - b. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
 - c. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity of the subject property.

B. Referral of Proposed Exception.

Each proposed exception shall be referred to the Village Building Inspector and the Village Building Inspector shall transmit to the Planning Commission recommendations, which recommendations shall be reviewed prior to the granting of any exception.

C. Planning Commission.

After public hearing thereon, the Planning Commission may recommend approval of the site development permit application with the exceptions and conditions it deems necessary or it may recommend disapproval of such site development permit application and exception application or it may take such other action as is appropriate.

1. Recommendations of the Planning Commission shall be submitted for final action to the Village Board.
2. If the Village Board fails to make a determination within forty-five (45) days after receipt of the Planning Commission's recommendations, such failure shall constitute an approval of the Planning Commission's recommendations, unless such forty-five (45) days is extended with the consent of the applicant.

9.13 SPECIAL PRECAUTIONS

- A. If, at any stage of the grading, the Village Building Inspector determines by inspection that further work even though under permit, is likely to imperil any property, public way, watercourse or drainage structure, the Village Building Inspector may require, as a condition to allowing the work to continue, that such reasonable safety precautions be taken as he considers advisable to avoid the likelihood of such peril.
- B. Special precautions may include, but shall not be limited to, specifying a flatter exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and reports from a registered professional engineer, whose recommendations may be made requirements before further work.
- C. When it appears that erosion or other storm damage may result because the grading is not complete, work may be stopped and the permittee required to install temporary planting to control erosion, install temporary structures or take such other measures as may be required to protect adjoining property or the public safety.

- D. On large operations or when unusual site conditions prevail, the Village Building Inspector may specify the time of commencement of grading and time of completion, or may require that the operation be conducted in specific stages to insure timely completion of protective measures or devices.

9.14 VIOLATIONS AND PENALTIES

No person, firm or corporation shall construct, enlarge, alter, repair or maintain any construction project, or cause the same to be done, contrary to or in violation of any provisions of this Article IX. In addition to any other penalty authorized by this Ordinance, any person convicted of violating any of the provisions of this Article shall be required to restore the property to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

ARTICLE X. RESUBDIVISION OF LAND AND UPGRADING OF EXISTING IMPROVEMENTS

10.01 RESUBDIVISION

In case of resubdivision of areas previously subdivided, where improvements are already installed which meet the requirements of this Ordinance, no further construction shall be required; provided, however, that where such installations have become worn or broken, defective or do not meet current Village standards, the subdivider shall be required to repair and correct such defects or deficiencies.

10.02 UPGRADING EXISTING IMPROVEMENTS

If property, for which an application to subdivide has been presented, abuts on or contains an existing public street which has width of pavement less than required by this Ordinance, the subdivider shall be required to dedicate additional land sufficient to bring roadway widths up to the minimum standards of this Ordinance, before the approval of the property for resubdivision.

ARTICLE XI. DESIGN STANDARDS FOR SUBDIVISION
IMPROVEMENTS

11.01 GENERAL REQUIREMENTS

- A. The owner or subdivider shall install storm and sanitary sewers, water supply system, street grading and pavement, sidewalk, pedestrian ways, landscaping, street trees, public utilities and street lighting in accordance with this Ordinance.
- B. Soils Investigations and Physical Tests.
 - 1. If the proposed subdivision contains questionable soil, and in the opinion of the Village Building Inspector soil borings or other soil tests are necessary to determine the nature and extent of such questionable material, the subdivider, builder, or land developer shall retain the services of a competent testing laboratory to perform the needed investigations. Such testing laboratory shall be subject to the approval of the Village.
 - 2. Copies of the completed reports compiled by the testing laboratory shall be filed with the Village Building Inspector.
- C. Supervision. The design engineer engaged by the subdivider, builder, or land developer shall be represented by his agent at the site of construction as needed to ensure that the construction or required land improvements comply with the approved development plans and specifications.
- D. Inspection.
 - 1. All required improvements, public and private, shall be inspected by the Village Building Inspector during the course of construction and at completion for compliance with this Ordinance and the approved plans and specifications.
 - 2. Builders and developers are required to notify the Village Building Inspector a minimum of forty-eight (48) hours prior to beginning any underground or surface improvements (sewer, water, paving,

including parking lots, etc.) to arrange for the appropriate inspections, as required in paragraph 12.01 C.

11.02 PUBLIC UTILITIES

- A. Location. All public utility lines for telephone, electric service, and cable TV shall be placed in easements or along dedicated street right-of-ways and entirely underground in residential subdivisions.
 - 1. When telephone and electric service and cable TV lines are placed underground entirely throughout a subdivided area, said conduits or cable shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services.
 - 2. All transformer boxes shall be located to not be unsightly or hazardous to the public.
- B. All gas mains shall be placed within street right-of-way or within easements.
- C. Notification. Underground work, either the installation of or the repair of existing sewer and water systems, shall not commence until the appropriate public utilities are staked and the Village Building Inspector has been notified to arrange for inspection, as required in paragraph 12.01 C.
- D. Conveyance of Improvements. Title to all public improvements required in this Ordinance shall, at the time the same are accepted by the Village Board, be conveyed and transferred to the Village by sufficient documents of transfer.

11.03 STREET PAVEMENT STANDARDS

- A. General.
 - 1. All street pavements within the Village shall be constructed in accordance with the following:

- a. Standard Specifications for Road and Bridge Construction, State of Illinois, Department of Transportation, Current Edition.
 - b. The current edition of the Illinois Department of Transportation's Design Manual.
2. Design requirements for the pavement shall be related to the classification of the street based on the zoning classification of the area adjacent to the subject street and/or the street classification as set forth in the Official Map. The classifications shown in Table 1 for a given street, must be submitted to the Village Building Inspector for his review prior to submittal of the preliminary plat to the Planning Commission.
3. At the request of the Village Building Inspector, a copy of all design assumptions and computations on which the proposed design is based shall be submitted.
4. The Pavement Design and Right-of-Way Chart (Table 1) establishes minimum right-of-way widths and the minimum design standard for a particular street classification. If, in the opinion of the Village Building Inspector, traffic use or geometric considerations for a road or part of a road warrants modified design, detail, a greater right-of-way width, a wider pavement width, and/or a greater structural number than listed on the chart, it shall be required.

TABLE 1 Pavement Design and Right-of-Way Width Chart

| Street Classification | Minimum Right-of-Way Width | Minimum Width Face of Curb to Face of Curb |
|--------------------------|----------------------------------|---|
| Arterial or Primary | 80 feet | 48 ft. or two (2) 24ft. w/median strip |
| Collector or Secondary | 80 feet | 38 ft. |

Minor Residential

| | | | |
|----|---------------------------------|----------|--------|
| 1. | Cul-de-Sac * | 60 feet | 30 ft. |
| | Circular End Diameter | 120 feet | 30 ft. |
| 2. | Dedicated (Other than #1 above) | 60 feet | 30 ft. |
| 3. | Private (PUD) | - - - | 30 ft. |

Minor Industrial 80 feet 38 ft.

Minor Business 80 feet 38 ft.

Marginal Access Streets 60 feet 24 ft.

Frontage Road (Dedicated) 60 feet 24 ft.

NOTE: * The pavement diameter to face of curb of circular-ended cul-de-sac shall be a minimum of one hundred (100) feet.

5. Private streets in planned developments shall, at a minimum, meet the minimum requirement for street width and design for minor residential streets, shall have curb and gutter on both sides of the street, and shall have a minimum centerline radius of curvature of one hundred fifty (150) feet.

B. Pavement Design.

1. General. All pavements shall be designed in accordance with the previously referenced standards and manuals.
 - a. The design thickness shall be dependent on the soil support value and the projected traffic factor; however, in no case shall the thickness of pavements be less than the minimum specified in the Illinois Department of Transportation's Design Manual.
 - b. Actual or projected traffic counts, along with sufficient soil boring data, will be required for the structural design.
2. Subgrade. All subgrade material shall have a minimum Illinois bearing ration (IBR) of three (3.0).

- a. Subgrade material having an IBR less than three (3.0) shall be removed and replaced with a suitable fill material, or the pavement must be designed to compensate for soil conditions.
- b. The soil support IBR values used by the designer shall represent a minimum value for the soil to be used.
- c. The results of all IBR tests are to be submitted to the Village Building Inspector.

3. Flexible Pavements.

- a. A minimum of three (3) inches of compacted asphalt (1" surface, 2" binder) is required for all flexible pavements.
- b. Pavements with a structural number of 4.00 – 4.99 will require four (4) inches of compacted asphalt (1 ½" surface, 2 ½" binder).
- c. The final surface course is to be applied after all other public improvements have been completed, and the bituminous binder course has proven to be stable for a one-year period.
 - i. Prior to laying of the surface course any defects or damage to the curb and gutter or pavement base must be corrected to the satisfaction of the Building Inspector.
 - ii. The streets shall then be thoroughly cleaned and a bituminous tack coat shall be applied at a rate of 0.05 to 0.10 gallons/square yard to assure uniform and complete adherence of the surface course.
- d. To facilitate plowing of snow during the winter months, all manholes, valve vaults, catch basins, inlets, etc., located within the pavement area are to be ramped with compacted temporary asphalt patch material for the period between the time the road is opened for general traffic and the time the

final surface course is applied. This ramp is to be maintained for the duration of the above-specified period.

4. Rigid Pavements. The design of all rigid pavements shall be based on the structural design number for the type of street in question.
 - a. Portland Cement Concrete shall be proportioned according to the applicable sections of the State Specifications and shall be designed for a minimum twenty-eight (28) day compression strength of thirty-five hundred (3500) psi.
 - b. Air entrainment shall be four (4) through seven (7) percent and slump between two (2) and four (4) inches.
 - c. Concrete pavement shall be constructed on a minimum six (6) inch crushed aggregate subbase and having a gradation of CA-6.

5. Sight Distances. The design engineer shall show at the points of intersection of proposed roads, or of proposed roads that the following stopping sight distances are provided.

| <u>Legal Speed Limit</u> | <u>Minimum Stopping Distance</u> |
|--------------------------|----------------------------------|
| 25-30 MPH | 200 Ft. |
| 31-40 MPH | 275 Ft. |
| 41-50 MPH | 350 Ft. |
| 51-55 MPH | 475 Ft. |

6. Subgrade Preparation.
 - a. The subgrade of all roads shall be graded and rolled in accordance with Section 212 of the “Standard Specifications for Road and Bridge Construction”, State of Illinois Department of Transportation.
 - i. Particular attention is directed to the requirements for the placement of soft and unstable material as contained in Article 202.03.

- ii. Embankment shall be placed and compacted in accordance with Section 207 of said specifications
 - b. Compaction tests, (performed by the sand cone method ASSHTO T-191 or with an approved nuclear density-moisture meter) shall be taken in each fill section, with the maximum distance between tests of three hundred (300) feet for each lift. Density shall be ninety-five (95) percent of the maximum density by a Standard Proctor Test.
 - c. Proctor tests performed in accordance with AASHTO T-99 shall be taken on each different type of borrow material.
 - d. The proctor and density tests must be submitted for review and approval by the Building Inspector.
 - e. Upon approval of these tests, an inspection of the subgrade will be made by the Building Inspector. The subgrade must be approved prior to placing any curb and gutter or base material.
7. Curb and Gutter.
- a. Illinois Department of Transportation Type B-6.18 curb and gutter shall be provided on all streets. Any proposed substitutions must meet the approval of the Village.
8. Subsurface Pavement Drains.
- a. Subsurface pavement drains may be required at any location where water may collect in the structural elements of the pavement and other engineering solutions may not adequately remove or prevent the entrance of water. Subdrains may be required because of:
 - i. A high-water table;
 - ii. Active springs or seeps beneath the pavement; or

- iii. Excessive amount of surface water entering or collecting in the structural section.
- b. The location of these areas requiring drains may be determined prior to the preparation of the engineering plans. However, the final determination shall be made during the construction phase.
- c. Subdrains shall meet the following requirements:
 - i. It shall have adequate capacity to quickly carry away any water that enters the pavement structural section;
 - ii. It must maintain this capacity through the life of the pavement.
- d. Collector pipes shall be a minimum of six (6) inches in diameter and shall be of the following materials:
 - i. Perforated concrete pipe conforming to ASTM C-444;
 - ii. Extra quality concrete drain tile conforming to ASTM C-412;
 - iii. Extra-strength perforated clay pipe conforming to ASTM C-444;
 - iv. Heavy-duty drain tile conforming to AASHTO M-179.
- e. Subdrains are to discharge into the storm sewer system.

11.04 SIDEWALKS AND PEDESTRIAN WAYS.

- A. Sidewalks or pedestrian ways are required in all subdivisions and are to be shown on all plats abutting roadways, whether new or existing roadways.
- B. No sidewalk or pedestrian way within the Village shall be constructed on soil which is unstable or which, in the opinion of the Building Inspector, is unstable for sidewalk construction. Whenever unstable ground is encountered, either before the preparation of detailed plans or during the

construction phase of the proposed improvements, said unstable materials shall be removed in their entirety and shall be replaced with satisfactory materials which shall be adequately compacted to the satisfaction of the Building Inspector.

- C. Sidewalks and pedestrian ways shall be constructed of Portland cement concrete to a width of not less than five (5) feet and a thickness of four (4) inches. Sidewalks shall be offset one (1) foot from the abutting lot line and shall be constructed on both sides of the street. Concrete shall have a minimum twenty-eight (28) day compressive strength of three thousand five hundred (3500) pounds, shall contain not less than three (3) percent nor more than six (6) percent entrained air. Slump shall not be less than two (2) inches nor more than four (4) inches.

11.05 TRENCH CONSTRUCTION

All trenches for storm or sanitary sewers of any buried utility shall be in accordance with Section 210 of the referenced "Standard Specifications for Road & Bridge Construction."

11.06 RIGHT-OF-WAY IMPROVEMENTS.

After all street and utility work has been completed, all public right-of-way not covered by pavement shall be covered with a minimum of four (4) inches of topsoil and seeded or sodded to the satisfaction of the Building Inspector.

11.07 WATER DISTRIBUTION SYSTEM

A. General.

1. No residential, commercial or industrial subdivision, or P.U.D. shall be approved unless it is served by the Village's water supply system.
2. In the case of any structures, whether residential, commercial or industrial, constructed prior to the adoption of this Ordinance and served by a private well system, the following shall apply:

- a. As soon as a Village water main is contiguous to and available to serve a structure or an area on a private well system, the owner must properly abandon the private well system and connect to the Village's public water supply system within one (1) year of the availability of the public water supply system.
 - b. All water supply systems which are installed in the public ways or easements shall be deemed to be dedicated to the Village upon acceptance of the subdivision.
- B. Design. Water distribution mains shall be of adequate size and shall serve the entire development.
 1. Design. Water mains shall be designed according to the "Standard Specifications for Water and Sewer Main Construction in Illinois" or according to the "Recommended Standards for Water Works," adopted by the Great Lakes Mississippi River Board of State Public Health and Environmental Managers. The more stringent requirements of either shall apply.
 2. Installation.
 - a. Said mains shall, in general, be installed in the street right-of-way, but in no case shall mains be installed within fifteen (15) feet of a building.
 - b. All water mains shall be installed with a minimum depth of cover of four and one-half (4-1/2) feet, measured from final grade to the top of the pipe.
 - c. Mains shall be extended to the property line of the development along public right-of-ways and at any other location indicated by the Building Inspector.
 - d. All excavation, backfilling, restoration of surfaces, and all related work shall be completed in accordance with this Ordinance.

3. Size. The minimum size shall be six (6) inches, internal diameter, in residential areas and a minimum of eight (8) inches, internal diameter, in all other areas. A larger diameter may be required by the Village Engineer.
4. Gridirons or Looping of Mains.
 - a. Each six (6) inch water main shall be looped (except cul-de-sacs or stubbed streets, unless deemed necessary by the Building Inspector) so that runs between connections to six (6) inch or larger mains shall not be greater than one thousand two hundred (1200) feet.
 - b. Each eight (8) inch water main shall be looped so that runs between connections to mains eight (8) inches or larger shall not be greater than one thousand four hundred (1400) feet in a commercial area or one thousand eight hundred (1800) feet in residential areas.
 - c. Each ten (10) inch water main shall be looped so that runs between connections to mains ten (10) inches or larger shall not be greater than two thousand two hundred (2,200) feet.
 - d. Each twelve (12) inch and larger water main shall be looped so that runs between connections to mains twelve (12) inches or larger shall not be greater than three thousand (3000) feet.
 - e. If the design engineer's report shows spacing greater than the above for the required residual pressure, that spacing shall supercede the above requirements.
5. Valves. Valves shall be located on water mains in such a manner to effectively isolate the sections from the system with minimum disruption.
 - a. Valves shall be installed so that not over nine hundred (900) feet of main will be shut off at any given time.

- b. If a tee is installed, two (2) valves shall be used.
 - c. The design engineer shall, by diagrams and/or written reports, set forth his/her basis for location of water main valves.
 - d. No more than thirty (30) single-family dwelling units shall be without water with the shutting off of any three (3) valve locations.
 - 6. Valve Boxes. Valve boxes shall be used on all main valves and auxiliary valves.
 - a. Valve boxes shall have a base compatible with the size and type of valve to be operated and shall extend to finished grade ground level.
 - b. Valve box covers shall be marked "WATER".
 - 7. Thrust Blocks. Thrust blocks are required at all valves, hydrants, tees and bends.
 - a. Engineering drawings shall indicate the location of each concrete thrust block to be installed.
 - b. Where undisturbed earth is not available or not likely to be available to back up pressure-type concrete thrust blocks, the Building Inspector shall specify tie rods with or without anchor-type concrete thrust blocks.
 - 8. Air Release Valves. Air release valves shall be placed on the water main at high point as deemed necessary by the Village Building Inspector to serve as air vents preventing air locking of the water main.
- C. Fire Hydrants.
- 1. Fire hydrants shall match the hydrants generally installed in the Village's water system and shall be furnished by a manufacturer considered standard by the Village.

2. Each hydrant shall be provided with a six (6) inch auxiliary gate valve and a two (2) foot length of six (6) inch pipe between the hydrant and valve.
 - a. Two (2) three-fourths (3/4) inch threaded steel rods with hex nuts shall be installed to tie the auxiliary gate valve to the water main and connecting tee.
 - b. Auxiliary valves shall be provided with valve boxes with covers marked "WATER".
 - c. Location.
 - i. Fire hydrants shall be located at no more than 500-foot intervals.
 - ii. If the location or configuration of a commercial building requires it, then private fire hydrants shall be installed.
 - iii. Locate hydrants for easy access by the Fire Department.

D. Water Services.

1. The plans, except for residential developments with individual services for each unit, shall show the calculated static water pressure at the lowest and highest ground elevations on the site. Calculations shall be presented showing that the proposed water services are of a large enough size to supply an adequate flow of water at the outlet of the meter.
2. A separate water service shall be provided for each structure. The Village Engineer shall determine if a structure requires more than one (1) service.

E. Materials. Water system materials shall be as follows:

1. Water main shall be either AWWA C-900 PVC, having a minimum DR of 18 or thickness Class 52, cement-lined ductile iron pipe meeting the requirements of ANSI A21.50 (AWWA

C150). Both types of pipe shall have mechanical or rubber ring push-on joints.

2. Water main fitting shall be cement-lined ductile iron with joints similar to the pipe joints. Fittings shall be capable of withstanding the same system pressures as the adjacent pipe.
3. Valves for the mains or for auxiliary fire hydrant valves shall be mechanical joint or push-on joint cast iron bodied, resilient seat gate valves, Mueller, Clow or equal, with bronze-mounted, double disc gate and with non-rising stem and rubber O-ring packing. Each valve shall be furnished with a cast iron road box with a cover marked "WATER".
4. Fire hydrants shall be Clow Model F2500 or Mueller Centurion hydrants with either mechanical joints or push-on joints. All hydrants shall have a ground-level breakaway flange feature and safety stem coupling. Hydrants shall have six (6) inch inlet connections, five and one-quarter (5-1/4) inch compression-type main valve openings, two (2) and one-half (2-1/2) inch hose connections, and one (1) four and one-half (4-1/2) inch pump nozzle, all with National Standard Threads.
5. Water service pipe shall be Type K Soft Copper Tubing, with a minimum size of one (1) inch diameter.
6. Corporation cocks shall be Mueller Oriseal or equal, with a minimum size of one (1) inch.
9. Curb stops shall be Mueller Oriseal or equal, with a minimum size of one (1) inch. Each stop shall be furnished with a cast iron Buffalo screw-type box with arch pattern base and cover marked "WATER".

11.08 SANITARY SEWER SYSTEM.

- A. General. 1. Except as otherwise provided herein, no residential, commercial or industrial subdivision or development shall be approved unless it is served by sanitary sewers connected to the Village's sewer system.

2. In the case of any structures, whether residential, commercial or industrial constructed prior to the adoption of this Ordinance and served by a septic system, the following shall apply:
 - a. As soon as a public sanitary sewer main is contiguous to and available to service a structure or a septic system, said owner or owners must properly abandon the septic system and connect to the Village's public sanitary sewer system within one (1) year.
 - b. All sanitary sewers which are installed in the public ways or in easements shall be deemed to be dedicated to the Village upon the acceptance of the public improvements within the subdivision by the Village.

B. Design. Sewer mains shall be of adequate size and shall serve the entire development.

1. General Requirements.

- a. Sewer mains shall be designed according to the latest edition of the "Standard Specifications for Water and Sewer Main Construction in Illinois" or according to the Illinois Environmental Protection Agency's "Recommended Standards for Sewage Works." The more stringent requirements of either shall apply.
- b. Before commencing the sewer layout, the developer shall confer with the Village to determine the required size and grades for any trunk sewers traversing the subdivision.
- c. All sanitary sewers shall be constructed in accordance with the provisions of the latest edition of the "Standard Specifications for Water and Sewer Main Construction" in Illinois, as modified and/or more specifically defined in these paragraphs and sections. In case of conflict, the provisions of the following paragraphs shall apply.

2. Installation.
 - a. Said mains shall, in general, be installed in the street right-of-way or in an easement adjacent thereto. In no case shall mains be installed within ten (10) feet of a building.
 - b. Sanitary sewers shall be extended to the edge of the development along public right-of-ways and at other points indicated by the Village Building Inspector.
3. Size. The minimum size of mains shall be eight (8) inches, internal diameter.
4. Sewer Services. Sanitary sewer service laterals of a minimum of six (6) inch internal diameter shall be provided for each lot, parcel, or tract prior to the construction of street pavements. Services shall extend to the property line.
 - a. Service connection shall consist of a one-eighth (1/8) sewer pipe bend set in the bell of the main wye or tee and the necessary lengths of the pipe with the terminus plugged.
 - b. Service sewers shall have a minimum cover of thirty (30) inches on private property and forty-eight (48) inches in public right-of-ways.
 - c. A minimum velocity of two (2) ft/sec shall be maintained.
 - d. A separate sewer service shall be provided for each structure. The Village Engineer shall determine if a structure requires more than one (1) service.
5. Sewer Alignment. Alignment shall be straight between manholes and follow the layout of the streets.
6. Manholes. Manholes shall be installed not more than four hundred (400) feet apart for sewers less than eighteen (18) inches in diameter or less and five hundred (500) feet for sewers eighteen (18) inches or more.
 - a. Manhole Diameter. Manhole diameter shall be four feet (4'0") for sewer diameter of twenty-one (21) inches and

smaller, and five feet (5'0") for sewer diameter of twenty-four (24) inches and larger.

b. Inspection Manholes. An inspection manhole having a minimum diameter of forty-eight (48) inches is required for all commercial and industrial buildings.

i. The manhole shall be constructed on the building service sewer before it connects to the sewer main and, preferably, shall not be closer than five (5) feet from the building.

ii. There shall be no flow into the inspection manhole except the flow from the building for which the inspection manhole is intended.

7. Lift Stations. If a lift station is part of the engineering design, it shall be shown in the plan elevation, and the specifications for such lift station shall be submitted with engineering plans.

a. Lift stations shall be of the wet well type with submersible pumps and shall conform in all respect to the standards established by the State of Illinois Environmental Protection Agency and the Village.

b. A trailer-mounted, engine-driven sewage pump of adequate capacity shall be given to the Village for use during power outages.

c. An alarm shall be installed to the Village master panel in the event of failure at the lift station.

d. Lift stations and force mains are not desirable nor recommended and shall be used only after all other means of providing service have been determined to be impossible.

C. Allowable Materials shall be as follows:

1. Sewer pipe and fittings shall be either extra-strength vitrified clay pipe (ASTM Spec. C700) with flexible compression joints (ASTM

C-425) or semi-rigid composite pipe (truss pipe) (ASTM Spec. D-2680) with solvent weld or gasket joints, or PVC sewer pipe, DR-35, meeting the requirements of ASTM Spec. D3034 and ASTM Spec. F-679. Joints shall be flexible elastomeric seals per ASTM Spec. D3212.

2. Manholes shall be pre-cast concrete and in accordance with the appropriate provisions of Section 32 of the referenced “Standards Specifications for Water and Sewer Main Construction in Illinois.” Frames and closed lids in roadways shall be Illinois Department of Transportation designation “TYPE 1 FRAME AND CLOSED LID.”

11.09 STORM WATER DRAINAGE

A. General. An adequate system of storm water drainage shall be constructed and installed consisting of pipes, tiles, manholes, inlets, and other necessary facilities that will adequately drain the development and protect roadway pavements and will prevent the accumulation of storm water at any place under normal conditions.

1. Any existing drain tiles encountered during construction must be left undisturbed or shall be attached to the proposed storm drainage system at locations indicated by the Village Building Inspector.
2. Drain tile located under roadways shall be replaced with concrete tile.

B. Design. The following shall govern the design of any improvement with respect to the drainage and detention of storm water runoff.

1. Layout. Subdivision shall be designed in such a manner as to preserve and utilize natural streams, channels, and detention basins.
2. Storm Water Release Rate. The allowable release rate of storm water for a 100-year storm from developments shall not exceed historic/pre-development discharge rates for a 10-year storm or the

capacity of the receiving stream or drainage system, whichever is less.

3. Storm Water Storage. Excess runoff from a 100-year/24-hour storm with an SCS Type II distribution shall be stored on site within appropriately designed detention facilities such that the allowable release rate is not exceeded and there is no ponding in streets or on buildable lot areas, except parking lots.
4. Bypass Flow. Drainage systems shall have adequate capacity to pass through the development the runoff from all upstream areas for a 10-year storm.
5. Backyard Swales. Backyard swales are permitted in residential areas subject to the following regulations:
 - a. Maximum and minimum slopes and general design criteria of the Federal Housing Administration's "minimum Property Requirements" shall be acceptable except as herein modified.
 - b. No continuous swale shall have a length exceeding three hundred (300) feet before discharging into a storm sewer system.
 - c. Minimum grade of the flowline shall be 0.5 percent.
6. Storm Sewer Outfalls. Storm sewer outfalls shall be so designed such that when the receiving stream or drainage system is at full capacity, the storm sewer will continue to discharge at its design flow rate.
7. Crown of Street Pavements. The crown of street pavements hereafter built adjoining or near streams, floodwater runoff channels, or basins shall be not lower than the established high-water elevation plus two (2) feet in the case of major streets, and plus one (1) foot in the case of other streets.

8. Waterway Openings of Bridges and Culverts. Waterway openings of bridges and culverts hereafter built over streams of floodwater runoff channels shall be designed with a waterway opening large enough to handle the flow from a one hundred (100) year frequency storm.
- C. Drainage Plan. A comprehensive drainage plan must be submitted to the Village Building Inspector which incorporates the aforementioned rules and shall be accompanied by maps or other descriptive material showing the following:
 1. The extent and area of each watershed tributary to the drainage channels in the subdivision.
 2. The street storm sewers and other storm drains to be built, the basis of their design, the outfall and outlet locations and elevations, the receiving stream or channel and its high-water elevation, and the functioning of the drains during high-water elevations.
 3. Existing streams and flood water runoff channels to be maintained and new channels to be constructed, their location, cross sections, and profiles.
 4. Existing culverts and bridges, drainage areas, elevation and adequacy of waterway openings, new culverts and bridges to be built, their materials, elevations, waterway openings, and basis of design.
 5. Existing detention ponds and basins to be maintained, enlarged, or otherwise altered and new ponds or basins to be built with dams and their design.
- D. Construction Requirements for Detention Ponds.
 1. Detention Ponds Containing Permanent Water.
 - a. Detention reservoirs containing permanent lakes must have a water area of at least one-half (1/2) acre and a minimum depth of ten (10) feet over at least twenty-five (25) percent of the total area. The remaining lake area must have an

average depth of at least three (3) feet and should have no extensive shallow areas.

- b. In excavated lakes, the underwater side slopes in the lakes must be stable. In the case of valley storage, natural slopes may be considered to be stable.
 - c. A safety ledge four (4) to six (6) feet in width is required and must be installed in all lakes approximately thirty-six (36) inches below the permanent water level.
 - i. In addition, a ledge twelve (12) to eighteen (18) inches above the permanent water line must be provided.
 - ii. The slope between the two (2) ledges must be stable and of a material which will prevent erosion due to wave action such as stone or riprap.
 - d. The reservoir must be designed to provide for the easy removal of sediment which will accumulate in the lake during periods of reservoir operations.
 - e. Dikes shall be minimum of four (4) feet wide with 3:1 side slopes or flatter. The top of the dike must be a minimum of one (1) foot above the peak stage for a 100-year storm. An emergency spillway shall be provided for storm runoff volume in excess of a 100-year/24-hour storm.
2. Dry Detention Ponds. The dry detention ponds must be designed to serve multi-purposed functions. Recreational facilities, aesthetic qualities, etc., as well as flood water storage must be considered in planning the reservoir.
3. Other Detention Storage.
- a. Underground Storage. All or a portion of the detention storage may be provided in underground or surface detention facilities to include basins, tanks, swales or oversized storm sewers.

- b. **Parking Lot Storage.** Paved parking lots may be designed to provide temporary detention storage of storm water on all or a portion of their surfaces.
 - i. Outlets shall be designed so as to slowly empty the stored waters and depths of storage must be limited to a maximum of nine (9) inches.
 - ii. Inlets shall be located in driving aisles whenever possible.
- 4. **Safety Features.** Design of detention storage facilities shall incorporate safety features, particularly at outlets, on steep slopes, and at any attractive nuisances to include, as necessary, fencing, hand rails, lighting, steps, grills, signs, and other protective or warning devices to restrict access during critical periods and to afford some measure of safety to both authorized and unauthorized persons.
 - a. Safety screens must be provided for any pipe or opening to prevent children or large animals from crawling into the structures. A maximum opening of six (6) inches is required.
 - b. Danger signs must be mounted at appropriate locations to warn of deep water, possible flood conditions during storm periods, and other dangers that exist. Fencing may be required if deemed necessary by the Village Building Inspector.
 - c. All slopes and the bottom of dry detention ponds are to be sodded. All other areas are to be seeded.
- 5. **Responsibility of Maintenance of Detention Ponds.** The responsibility for maintenance during construction and thereafter shall be the responsibility of the developer/owner, unless the Village approves the creation of a homeowner's or similar type of association or expressly assumes the responsibility. The

maintenance of detention ponds, shall be set forth in the Subdivision Covenants and approved by the Village.

- a. Maintenance shall consist of, but shall not be limited to, the clean up of accumulated debris, flotsam, or other materials and also the control of the growth of obnoxious weeds or the creation of conditions which support the growth of mosquitoes or other insects.
- b. Maintenance shall also consist of proper repairs to such items as inlet structures, outlet structures, side slopes, or other elements of the facility.

E. Storm Water Storage Basins. The Village shall maintain a complete listing of all storage basins for the storage and detention of storm water in the Village, whether required under this Ordinance or otherwise, and may require each basin to be inspected periodically.

1. Such inspection shall be performed at the owner's expense within ninety (90) days and shall be performed by an Engineer registered in the State of Illinois.
2. A report shall be submitted to the Village Building Inspector, including supporting calculations, stipulating the existing capacity of the storage basins.
3. The Village Building Inspector may serve notice upon the record owner thereof to restore, repair, or properly maintain any such basin which does not retain its original storage capacity.
4. In the event such notice has not been complied with on or before ninety (90) days after service thereof (unless such time period shall be extended by the President and Village Board), the Village may perform such restoration, repair, or maintenance work as may be necessary to return such storm water storage basin to its original storage capacity; and the cost thereof shall be a lien in favor of the Village upon the lots, tracts, or parcels benefited by the storm water storage basin and the Village may file with the Recorder of

Deeds of LaSalle County, Illinois, a notice of lien citing this paragraph describing the necessary work performed and the reasonable cost thereof to the Village. The lien may be foreclosed pursuant to the Illinois Compiled Statutes. The owner of the storm water storage basin may also be fined as set forth in this Ordinance.

5. These regulations shall apply to all storm water storage basins existing on the date of the adoption of this Ordinance, as well as all future storm water storage basins.

F. Storm Sewers. Storm sewers shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins and shall be connected to an adequate outfall.

1. Design.

- a. The storm sewer system shall be separate and independent of the sanitary sewer system.
- b. All storm sewers shall be designed by the Rational Method on the basis of a minimum ten (10) year storm frequency and shall be sized to adequately carry all tributary areas. Copies of the design computations, together with a drawing defining each drainage area, shall be submitted to the Village Building Inspector.

2. Velocity. Minimum velocity shall be three (3) feet per second and maximum velocity shall be ten (10) feet per second for all storm sewer installation.

3. Spacing for Surface Collectors. Maximum spacing for surface collectors shall be four hundred (400) feet or as directed by the Village Building Inspector.

4. Inlets. Inlets shall be provided at all low areas and shall be provided so that surface water is not carried across or around any intersection of streets.

5. Allowable Materials for Storm Sewers.
 - a. Pipe materials shall be concrete pipe or reinforced concrete pipe.
 - b. Other materials for storm sewer construction may be used in special cases only upon approval by the Village Building Inspector.
6. The minimum size for all storm sewers shall be twelve (12) inches.

G. Storm Sewer Structures.

1. Manholes.
 - a. Locations. Manholes are utilized to provide access to continuous underground storm sewers for the purpose of inspection and cleanout and to permit a change in direction, grade and size of sewer. Typical locations where manholes should be specified are:
 - i. Where two (2) or more storm sewers converge.
 - ii. At intermediate points along tangent sections.
 - iii. Where pipe size changes.
 - iv. Where an abrupt change in alignment occurs.
 - v. Where an abrupt change of the grade occurs.

Manholes should not be located in traffic lanes; however, when it is impossible to avoid locating manholes in a traffic lane, care should be taken to ensure it is not in the normal vehicle path.

- b. Spacing. The spacing of manholes should be in accordance with the following:

| <u>Sizes of Pipe (Inches)</u> | <u>Maximum Distance (Feet)</u> |
|-------------------------------|--------------------------------|
| 12-24 | 400 |
| 27-54 | 600 |
| 60-up | 1000 |

- c. Types. A manhole, Type A (Highway Standard 1527) with appropriate frame and lid should be provided for the following sewer sizes when the depth exceeds four (4) feet.

- i. When the sewer pipe diameter is 18 inches or less, a 4-foot diameter manhole should be provided.
 - ii. When the sewer pipe diameter is 21 inches to 42 inches inclusive, a 5-foot diameter manhole should be provided.
 - iii. When the sewer pipe diameter is 48 inches or larger, a 6-foot diameter manhole (Standard 2395) or a reinforced concrete pipe tee (Standard 2263) or a special design manhole should be provided.
- d. Hydraulic Losses. The following criteria should be used to estimate hydraulic losses in storm sewer manholes.
 - i. Allow a drop of 0.1 foot in a through manhole where there is no change in the diameter of the sewer pipe.
 - ii. Allow a drop of 0.2 foot in the presence of one lateral or bend.
 - iii. Allow a drop of 0.3 foot when two (2) laterals are present.
 - iv. In a through manhole where there is a change in the diameter of the sewer pipe, no loss should be allowed if 0.8 foot depth in each sewer pipe is attained by lowering the larger pipe.
- e. Pipe Connections. The pipe tee and wye connections are permitted for connecting lateral lines from pavement inlets to main storm sewer lines provided the following conditions are met:
 - i. Manholes are provided at the required intervals.
 - ii. The minimum lateral size is 12 inches or larger.
 - iii. Precast connections are required unless designer verifies that the structural and hydraulic integrity of mainline sewer is not affected by field connection.

- f. Junction Chambers. The junction of small sewers is made in manholes. On occasion, junction chambers of special design are required to joint two (2) or more converging large size storm sewers. In design, a smooth transition is essential to prevent turbulence in flow which would cause eddies and deposition of solids. Normally, junction chambers should not be utilized when the trunk sewer is less than 42 inches in diameter.

2. Inlets.

- a. Inlets are drainage structures utilized to collect surface water through grate or curb openings and convey it to storm sewers or direct outlet to culverts and ditches. Grate inlets should be provided with appropriate frames and grates as provided in Section B of the Highway Standards.

An Inlet Type A (Standard 1683) should be utilized when the sewer pipe diameter is 15 inches or less and the depth of pipe is not more than 4 feet. For larger diameter pipes or where there is both an incoming and outgoing pipe in the inlet, a larger diameter, inlet structure, such as Inlet Type B (Standard 2349) or a 3-foot, 4-foot, and 5-foot diameter catch basin or manhole should be specified. When such a structure is used in a shallow pipe situation, a precast reinforced concrete flat slab top, shown on Standard 2354, should be used in lieu of the standard conically tapered top.

- b. Inlets used for the drainage of roadway surfaces shall be combination inlets. These inlets consist of both a curb opening and a grate inlet acting as a unit.

H. Groundwater Management.

- 1. Footing Drain Tile. All structures utilizing footing drain tile to keep basements dry, shall route the drain tile to sump pumps or

daylight which discharge only to the surface of the surrounding land, or to a separate storm sewer.

2. Service Lines. All new subdivisions shall install a service line from the subdivision's storm sewer system to individual lots for the purpose of accepting the groundwater discharge from the sump pumps, only. The service lines shall either be concrete or reinforced concrete pipe, having a diameter of at least 6 inches or Scheduled 40 PVC.
3. Surface Discharge. For properties not served by storm sewer system, the discharge from any groundwater pump (other than a replacement pump) installed after [Insert Date of Adoption], 2005, shall be to the surrounding land surface with the point of discharge being no nearer than five (5) feet from the property line. In no case shall the discharge from a groundwater pumping system cause damage to a neighboring property.
4. Gutter Downspouts. In no case shall gutter downspouts be connected to any public sewer system, but instead shall drain to the surface of the land. In no case shall gutter downspouts cause roof water to damage a neighbor's property.

11.10 STREET LIGHTING

The developer shall provide street lighting at such locations as designated by the Village Engineer.

ARTICLE XII. IMPROVEMENT PROCEDURES

12.01 PROCEDURE FOR APPROVAL OF DESIGN OF IMPROVEMENTS

- A. Before submitting the final plat for approval and before commencing work on the construction and installation of any improvements required by this Ordinance, the developer or owner shall submit necessary documentation

for the construction and installation of the required improvements to the Village Building Inspector and Village Clerk for review and approval.

1. **Necessary Documents.** The following documents are required at the time engineering plans are submitted to the Village Building Inspector for review and approval:
 - a. Three (3) sets of engineering drawings.
 - b. Three (3) sets of specifications.
 - c. Three (3) copies of the plat of survey or subdivision plat.
 - d. EPA sewer construction permit.
 - e. EPA water construction permit.
 - f. Three (3) copies of the storm sewer calculations.
 - g. Three (3) copies of the storm drainage plan.
 - h. Three (3) copies of the retention facility calculations.
 - i. Three (3) copies of the hydraulic gradient profiles of the storm sewer design, if the design is based on the hydraulic gradient.
 - j. Three (3) copies of the engineer's estimate of cost.
 - k. Three (3) copies of the water main calculations for consumption and fire flow demand when the design is less than the minimum design required by this Ordinance.
 - l. Three (3) copies of the pavement thickness design calculations.
2. **Engineering Plans.** The engineering drawings, which are submitted, must include the following information:
 - a. A title sheet showing the name of the project, section, township and range, an index of sheets, a tabulation of symbols, location of benchmarks, and a graphic location with respect to nearest traveled streets and roads.
 - b. General plan layout of the project indicating all requirements.

- c. A detailed grading plan indicating the elevations of all building foundations, lot corners, and points of change in gradient.
 - i. Direction of flow of surface waters will be delineated with arrows and the gradient of the land indicated above the arrows.
 - ii. Curb elevation will be indicated opposite each lot corner and all changes in gradient.
- d. A detailed plan of street improvements showing horizontal and vertical locations of all street and sidewalk improvements and including horizontal and vertical locations of all points of tangency, points of vertical curvature, points of vertical intersection, and points of vertical tangency. Radii of intersection of streets will be shown on this plan.
- e. A detailed plan of storm sewer improvements showing horizontal and vertical locations of all manholes, catch basins, inlets, headwalls, and the like and indicating lengths, types and grades, and gradients of all storm sewers and swales.
- f. A detailed plan of sanitary sewer improvements showing horizontal and vertical locations of all manholes and indicating lengths, type and grade, and gradients of sanitary sewers.
- g. A detailed plan of water system improvements indicating horizontal and vertical location of all fire hydrants and valves and showing lengths, sizes, and locations of all water mains.
- h. Plans and profiles drawn at a scale not to exceed one (1) inch equals forty (40) feet horizontally and one (1) inch to ten (10) feet vertically indicating additional horizontal and

vertical locations of streets, sewers, appurtenances, and the existing grade.

- i. Such additional details as are necessary to clarify the extent or manner of construction.
- j. Summary of all quantities.
- k. An erosion and sedimentation control plan.
- l. General detail sheets showing:
 - i. Pavements cross-section.
 - ii. Curb, gutter, and sidewalk details.
 - iii. Cross-section of detention facilities including sedimentation basins.
 - iv. Manholes, vaults, inlets and castings.
 - v. Hydrants.
 - vi. Typical trench cross sections for sanitary sewer, storm sewer, and water mains.

B. Requirements for Installation of Improvements.

1. Prior to the approval of the final plat of the proposed subdivision or planned development by the Village Board and prior to the recording of the plat, appropriate bonds, escrow monies, recapture fees, irrevocable letters of credit for public improvements, and any other related fees must be deposited with the Village Clerk.
2. When the appropriate subdivision improvement security is posted and all permit fees paid to the Village, the installation of the required improvements may begin.

C. Inspections. All improvements constructed under the terms of this Ordinance shall be subject to periodic inspections by the Inspector designated by the Village.

1. Fees for these inspections shall be at the rate of one-half (1/2) of one (1) percent of the cost of construction of said improvements, paid by the owner or developer.
2. The minimum fee for any inspection shall be fifty dollars (\$50).

12.02 SUBDIVISION IMPROVEMENT SECURITY

A. Agreements and Guarantees which are required prior to approval of the final plat are as follows:

1. Agreement. The subdivider, builder, or developer shall provide a signed statement setting forth an agreement wherein he/she or they agree to construct and install the improvements required in this Ordinance, in accordance with the plans and specifications approved by the Village.
2. A copy of a signed construction contract with a reliable contractor for the required improvements.
3. Improvements Security. The subdivider or developer shall submit to the Village Clerk a good and sufficient security for the completion of all the improvements required under this Ordinance together with the cost of reasonable inspection fees in the amount of one hundred (100) percent of the cost of such improvements and fees.
 - a. Said security shall provide that monies in such estimated amounts are on deposit with a bank or other financial institution and restricted for the purpose of the installation and satisfactory completion of said improvements.
 - b. The acceptable form of security is an irrevocable letter of credit in said amount issued by any reputable financial institution. The letter of credit shall be in substantially the following form:

[Letterhead of Bank]

[Date]

Ladies and Gentlemen:

We hereby establish our irrevocable credit in favor
of _____[Developer]_____, or the
municipality of _____ in the

amount of _____ (\$_____). We understand that this irrevocable credit is to be used to construct the following improvements in the residential development known as _____ to be constructed within the Village of North Utica, Illinois;

[DESCRIBE IMPROVEMENTS]

The development is legally described as follows: [legal description]. We shall make payouts from this irrevocable commitment as follows:

If we have not been notified by the municipality of a default by the owner and/or developer, we shall disburse the funds for labor and materials furnished by contractors in accordance with the sworn statement on order of the owners, the submission of proper lien waivers from the contractors engaged in such work, and the certificate by the municipal engineer, _____, that such work has been properly completed; provided, however, that we shall withhold from each payment made under such sworn statement(s) or order(s) an amount equal to ten percent (10%) thereof until all improvements have been completed except final surfacing of the streets and sidewalks at which time the 10% sum withheld shall be disbursed less a sum equal to one hundred and twenty-five percent (125%) of the cost of the final surfacing of the street, which sum shall be finally disbursed when that work has been completed and the requirements of certification and lien waivers as has been hereinabove set out.

The required improvements shall be completed in accordance with the following schedule: [insert schedule]

If we receive a resolution of the corporate authorities of the municipality indicating that the owner and/or developer has failed to satisfactorily complete or carry on the work of the installation and construction of the required improvements, and such resolution indicates that the owner and/or developer has been notified that the municipality finds that a breach of the owner's and/or developer's obligations has occurred and has not been cured within a period of thirty (30) days, in such case we

shall make payments for materials and labor to such contractor(s) or subcontractor(s) retained by the municipality who have completed the improvements in substantial accordance with the plans and specifications of the owner and/or developer; such payments shall be made upon the certification of the municipal engineer that the work has been completed and the submission of proper waiver of liens from the contractor(s) or subcontractor(s). The amount of the payouts shall be in accordance with the retention provisions as previously set out.

The irrevocable credit established by us shall be in force for a period of _____ (____) years, and shall remain in effect without regard to any default in payments of sums owned by us the owner and/or developer and without regard to other claims that we may have against the owner and/or developer. Sixty (60) days before to the expiration of this irrevocable credit we shall notify the corporate authorities of the municipality, by registered letter return receipt requested, of the impending expiration date. This commitment shall not terminate without such notice. If the work covered by this commitment has not been completed within the time set forth in this agreement, the municipality may at its option continue drawing funds, as otherwise provided, for an additional period of one year. It is recognized that the municipality is according the owner and/or developer the permission to proceed with the development project expressly upon the guarantee of the irrevocable nature of this commitment. It is further acknowledged that the consideration of this irrevocable commitment is provided by agreements between this financial institution and the developer. The sum of this credit shall, however, be reduced in the amount of disbursements made from time to time in accordance with the terms under which this credit is extended as set out above.

Signature

The Village Board may enter into such supporting agreements by and among the Village and the lending institution, as the Village Board shall deem necessary or desirable to further secure the proper and satisfactory completion of said improvements.

4. Maintenance Guarantee. In addition to the security requirement described herein, the subdivider, builder, or developer shall deposit cash in the amount of ten (10) percent of the amount required for construction, or the Village Board may accept a certificate of deposit or other United States government security in lieu of cash, which is to be retained by the Village, for a period of one year following the final acceptance of the project, to insure and protect against defects discovered during such one-year period.
- B. Reduction of Improvement Security. A letter of credit may be reduced from time-to-time (maximum of once per month) upon resolution of the Village Board approving such reductions and concurrently granting their preliminary approval to corresponding portions of the improvements.
1. There shall be withheld and reserved from each reduction an amount equal to ten (10) percent of the original estimate of the work completed for which preliminary approval has been granted.
 2. Upon completion of all public improvements and private improvements, where applicable, and when satisfactorily meeting the requirements of the Ordinance, the Village Board, upon resolution, may release the improvement security and initiate the one-year maintenance period.
 3. If all improvements are acceptable after the one (1) year maintenance period, the maintenance guarantee shall be refunded to the developer along with any accrued interest.
 4. The Village may use all or any portion of the maintenance guarantee to cure or correct any damage, defects, or faults discovered during the one (1) year period should the developer not promptly or properly correct said damage, defects, or faults.
- C. Outside Corporate Limits. Subdividers, builders, or land developers of land outside Village limits, but within the one and one-half (1-1/2) mile zoning area, shall be subject to these requirements.

- D. Provisions Applicable to All Subdividers. If the subdivider, builder, or developer elects to develop the subdivision in units or sections, building permits (where issuance of same is within the jurisdiction of the Village) will be issued for lots contained in each section or unit upon approval by the Village of the plan delineating such sectional development.
1. Public Improvements, as set forth in this Ordinance, for each section or unit shall adequately serve each and every lot within the unit so designated and shall conform to the public improvement plans for the entire subdivision under consideration.
 2. The sectional installation of public improvements and cash deposit with the Village shall be done in accordance with the requirements set forth herein.

12.03 ACCEPTANCE AND APPROVAL OF REQUIRED IMPROVEMENTS

- A. Acceptance. Each development is required by this Ordinance to contain the necessary improvements as outlined in the previous sections. However, the acceptance of the required improvements is limited to the following types of developments:
1. All improvements in a planned development as authorized by the Village.
 2. The underground and surface improvements within the right-of-ways of public streets, easements, or outlots in a residential subdivision.
 3. All improvements with office, research, or industrial parks.
 4. Within other types of developments so authorized by the Village Board.
- B. Approval. When all required improvements, public and private, are completed in their entirety, the developer or owner must formally request the Village, by letter, to accept or approve (for private improvements) said improvements and the developer or owner must, in such letter, guarantee

them for a period of one (1) year from the date of acceptance or approval (for private improvements).

1. Prior to request for approval, the Building Inspector must be in receipt of:
 - a. Test results.
 - b. As-built engineering plans showing:
 - i. Actual location and size of storm sewers, sanitary sewer and water mains showing all locations of all inlets, manholes, valve vaults, hydrants, and other appurtenances. Actual invert and rim elevations are to be given for all inlets and manholes.
 - ii. Locations and dimensions of roadways, sidewalks, and easements.
 - iii. Locations and sizes of all water and sewer services.
 - iv. Contour lines of any detention facilities along with calculations indicating actual storage capacity.
 - v. Elevations of the tops of all foundations and the corner of all lots.
 - vi. An Illinois Environmental Protection Agency operating permit for all water main construction.
2. Upon receipt of the letter of request, the Building Inspector will authorize and schedule a final inspection to take place as soon as reasonably possible after receipt of the letter.
 - a. Final inspections shall not be scheduled between November 15 and April 1 unless, in the opinion of the Building Inspector, weather conditions permit.
 - b. All deficient improvements which do not totally conform to this Ordinance (either incomplete, damaged, or poor workmanship) will be inventoried.
 - c. The inventory of deficiencies will be forwarded to the developer or owner for processing.

- d. When the deficiencies are corrected, the developer or owner shall request a second inspection. Scheduling of the second inspection shall be the same as for the first inspection.
- e. If the length of time between the first and second inspection is greater than four (4) months or if the noted deficiencies are not correct at the time the second inspection is made, the request for acceptance will be cancelled.
- f. If cancelled, a second request for acceptance is subject to the following conditions:
 - i. The developer or owner shall pay costs incurred by the person conducting the inspection.
 - ii. The punch list of deficiencies recorded during the previous inspections will be voided and a complete reinspection is required.

C. Surface Maintenance. During the period between the installation of the final surface course on the roadways and the termination of the one (1) year maintenance period or the final acceptance of the public improvements, the Building Inspector may request the developer to seal all cracks that appear in the pavement section with an approved hot-pored rubber asphalt sealing compound.

- 1. This crack sealing is limited to those cracks that normally occur due to volume and thermal shrinkage.
- 2. All other types of pavement distress will have to be properly repaired to the satisfaction of the Building Inspector.
- 3. All cracks shall be properly routed and air-blown clean in accordance with the manufacturer's recommendations and to the satisfaction of the Building Inspector.

D. Final Acceptance and Approval. No improvements, public or private, shall be accepted or approved (for private improvements) by the Village President and Village Board prior to receipt of the Building Inspector's

report specifying whether or not the improvements comply with the Ordinance and the approved plans and specifications.

- E. Bill of Sale. The developer or owner shall present the Village with a “Bill of Sale” in substantially the following form:

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that [name of developer], (Developer), in consideration of One Dollar and other valuable consideration, does hereby grant, sell, transfer, and deliver unto the Village of North Utica, a Municipal Corporation in LaSalle County, Illinois (hereinafter “VILLAGE”) the following goods, chattels, and other items of personal property, namely:

ONE: Each and every part and item of a system of storm sewers, lined culverts, and paved drainage ways, and other items of personality for the retention or detention of storm and surface waters installed at the direction of the VILLAGE by the Developer for the purpose of the collection, transport, and flow of surface and storm waters anywhere within the VILLAGE.

TWO: Each and every part and item of a system for the collection, transportation, and treatment of sewage installed at the direction of the VILLAGE by the developer anywhere in the VILLAGE with the exception of those pipes that transports the sewage of a single building into a common sewer commonly known as a house service.

THREE: Each and every part and item of a system for the distribution of water installed at the direction of the VILLAGE by the developer anywhere in the VILLAGE except the pipe that transports water from the buffalo box to a single building commonly known as a house service.

FOUR: Each and every part of the street and roadway system installed at the direction of the VILLAGE by the Developer anywhere in the VILLAGE.

The object of this Bill of Sale is to grant, sell, transfer, and deliver to the VILLAGE, with the exceptions noted, the ownership in all items of personality that comprise the storm sewer, storm and surface water retention and detention,

sanitary sewer, water distribution system, and roadway system installed by the Developer to Date within the VILLAGE.

The Developer does hereby covenant it is the lawful owner of the goods, chattels, and personality described above; that such items are free from all encumbrances; that the Developer has the right to sell the same as aforesaid; and that the Developer warrants and will defend the same against the lawful claims and demands of all persons; and that the execution of this Bill of Sale is an authorized act of said corporation, individual, or partnership.

Dated at _____, Illinois, this _____ day of _____, 20____.

ATTEST:

ARTICLE XIII. NUISANCES

This Ordinance shall not be construed as authorizing any person to maintain a private or public nuisance upon their property, and compliance with the provisions of this Ordinance shall not be a defense in any action to abate such nuisance.

ARTICLE XIV. ENFORCEMENT AND PENALTIES

13.01 NON-CONFORMING WORK

If at any time any work is performed which is not in accordance with this Ordinance or a permit covered by this Ordinance, including conditions and approved modifications thereof, a written notice to comply shall be given by the Village Building Inspector stating the nature and location of the alleged non-

compliance and specifying what remedial steps are necessary to bring the project into compliance. The responsible parties shall have such time as may be allowed in writing by the Village Building Inspector to correct all noted deficiencies; the time allowed shall be reasonable and shall be determined by the nature of the deficiency and whether or not it creates a nuisance or hazard.

13.02 REVOCATION OR SUSPENSION OF PERMIT

A permit may be revoked or suspended by the Village Building Inspector. The permit holder may request in writing, within ten (10) days of the permit revocation, a public hearing before the Village Board or its designated committee. The permit holder shall have an opportunity to be heard, present evidence, and cross-examine witnesses at such public hearing. The decision of the Village Board or its designated committee shall be final and any further appeal shall be in the Circuit Court of LaSalle County, Illinois. Written notice shall be given to the permit holder specifying the grounds for such contemplated revocation or suspension, and advising the permit holder of the date, place, and time of the hearing before the Village Board.

A permit may be revoked or suspended upon the occurrence of any one of the following events:

- A. Violation of any condition of the permit, or
- B. Violation of any provision of this Ordinance or any other applicable law or ordinances, or
- C. Existence of any condition or the doing of any act constituting or creating a nuisance, hazard, or endangering human life or property of others.

Upon revocation of any permit and in cases where a permit is suspended, the Village Building Inspector shall issue a stop work order on all construction activity on the permit holder's property which is being performed pursuant to any permits, licenses, franchises or contracts issued or approved by the Village. Notices and orders required by this Ordinance shall be served upon the parties

concerned, either personally or by certified mail, addressed to the individual contracting party or permit holder at the address given on the contract document or permit application filed with the Village.

13.03 CIVIL ACTION

The Village may institute actions or proceedings at law or in equity for the enforcement of the provisions of this Ordinance

13.04 PENALTY

Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than \$100.00 nor more than \$500.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE XV. EFFECT

This Ordinance shall be in full force and effect from and after its passage and approval and this Ordinance shall be published in pamphlet form.

PRESENTED, PASSED and ACCEPTED at a regular meeting of the Board of Trustees of the Village of North Utica, Illinois on ____ day of _____, 2005.

ROLL CALL VOTE:

| | | | |
|----------------|------------|------------|---------------|
| <u>TRUSTEE</u> | <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|----------------|------------|------------|---------------|

Ciccone_____

Hamilton_____

M. Pawlak_____

Alvarado_____

Guerrero_____

R. Pawlak_____

APPROVED this ____ day of _____, 2005.

Village President

ATTEST:

Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF LASALLE)

I do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of North Utica, the County and State aforesaid, and, as such Clerk, I am the keeper of the records and files of the President and Board of Trustees of the Village.

I do further certify that the attached and foregoing is a true and current copy of:

VILLAGE OF NORTH UTICA
SUBDIVISION AND SITE DEVELOPMENT REGULATIONS
ORDINANCE NO. 05-_____

as passed by the Board of Trustees of the said Village of North Utica, Illinois, at its regular meeting held on _____, 2005, and as approved by the President of said Village on _____, 2005.

IN WITNESS WHEREOF, I have hereto affixed my official signature and the corporate seal of said Village of North Utica, Illinois.

(SEAL)

Village Clerk

STATE OF ILLINOIS)
) SS **Certificate of Pamphlet Publication**
COUNTY OF LASALLE)

I certify that I am the duly elected and acting municipal clerk of the Village of North Utica, LaSalle County, Illinois. I further certify that on _____, 2005, the Corporate Authorities of the above municipality passed and approved Ordinance No. 2005-____ entitled:

VILLAGE OF NORTH UTICA
SUBDIVISION AND SITE DEVELOPMENT REGULATIONS
ORDINANCE NO. 05-_____

which provided by its terms that it should be published as required by law. The Pamphlet Form of Ordinance No. 2005-____ and a cover sheet thereof was prepared, and a copy of the Ordinance was posted in the Village Hall, commencing on _____, 2005 and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated this ____ day of _____, 2005.

Village Clerk

(BACK OF PAMPHLET)